

State of Arizona  
Senate  
Fifty-third Legislature  
First Regular Session  
2017

Senate Engrossed  
**FILED**  
**MICHELE REAGAN**  
**SECRETARY OF STATE**

CHAPTER 102  
**SENATE BILL 1029**

AN ACT

AMENDING SECTIONS 32-1901.01, 32-1924, 32-1925 AND 32-1931, ARIZONA  
REVISED STATUTES; RELATING TO THE ARIZONA STATE BOARD OF PHARMACY.

(TEXT OF BILL BEGINS ON NEXT PAGE)



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

2 Section 1. Section 32-1901.01, Arizona Revised Statutes, is amended  
3 to read:

4 32-1901.01. Definition of unethical and unprofessional  
5 conduct; permittees; licensees

6 A. In this chapter, unless the context otherwise requires, for the  
7 purposes of disciplining a permittee, "unethical conduct" means the  
8 following, whether occurring in this state or elsewhere:

9 1. Committing a felony, whether or not involving moral turpitude,  
10 or a misdemeanor involving moral turpitude or any drug-related offense.  
11 In either case, conviction by a court of competent jurisdiction or a plea  
12 of no contest is conclusive evidence of the commission.

13 2. Committing an act that is substantially related to the  
14 qualifications, functions or duties of a permittee and that demonstrates  
15 either a lack of good moral character or an actual or potential unfitness  
16 to hold a permit in light of the public's safety.

17 3. Working under the influence of alcohol or other drugs.

18 4. Addiction to the use of alcohol or other drugs to such a degree  
19 as to render the permittee unfit to perform the permittee's employment  
20 duties.

21 5. Violating a federal or state law or administrative rule relating  
22 to the manufacture, sale or distribution of drugs, devices, poisons,  
23 hazardous substances or precursor chemicals.

24 6. Violating a federal or state law or administrative rule relating  
25 to marijuana, prescription-only drugs, narcotics, dangerous drugs,  
26 controlled substances or precursor chemicals.

27 7. Violating state or federal reporting or recordkeeping  
28 requirements on transactions relating to precursor chemicals.

29 8. Failing to report in writing to the board any evidence that a  
30 pharmacist, pharmacy intern or graduate intern is or may be professionally  
31 incompetent, is or may be guilty of unprofessional conduct or is or may be  
32 mentally or physically unable safely to engage in the practice of  
33 pharmacy.

34 9. Failing to report in writing to the board any evidence that a  
35 pharmacy technician or pharmacy technician trainee is or may be  
36 professionally incompetent, is or may be guilty of unprofessional conduct  
37 or is or may be mentally or physically unable safely to engage in the  
38 permissible activities of a pharmacy technician or pharmacy technician  
39 trainee.

40 10. Failing to report in writing to the board any evidence that  
41 appears to show that a permittee or permittee's employee is or may be  
42 guilty of unethical conduct, is or may be mentally or physically unable  
43 safely to engage in employment duties related to manufacturing, selling,  
44 distributing or dispensing of drugs, devices, poisons, hazardous

- 1 substances, controlled substances or precursor chemicals or is or may be  
2 in violation of this chapter or a rule adopted under this chapter.
- 3 11. Intending to sell, transfer or distribute, or to offer for  
4 sale, transfer or distribution, or selling, transferring, distributing or  
5 dispensing or offering for sale, transfer or distribution an imitation  
6 controlled substance, imitation over-the-counter drug or imitation  
7 prescription-only drug as defined in section 13-3451.
- 8 12. Denial or discipline of a permittee's permit to manufacture,  
9 sell, distribute or dispense drugs, devices, poisons, hazardous substances  
10 or precursor chemicals in another jurisdiction and the permit was not  
11 reinstated.
- 12 13. Committing an offense in another jurisdiction that if committed  
13 in this state would be grounds for discipline.
- 14 14. Obtaining or attempting to obtain a permit or a permit renewal  
15 by fraud, by misrepresentation or by knowingly taking advantage of the  
16 mistake of another person or an agency.
- 17 15. Wilfully making a false report or record required by this  
18 chapter, required by federal or state laws pertaining to drugs, devices,  
19 poisons, hazardous substances or precursor chemicals or required for the  
20 payment for drugs, devices, poisons or hazardous substances or precursor  
21 chemicals or for services pertaining to such drugs or substances.
- 22 16. Knowingly filing with the board any application, renewal or  
23 other document that contains false or misleading information.
- 24 17. Providing false or misleading information or omitting material  
25 information in any communication to the board or the board's employees or  
26 agents.
- 27 18. Violating or attempting to violate, directly or indirectly, or  
28 assisting in or abetting the violation of, or conspiring to violate, this  
29 chapter.
- 30 19. Violating a formal order, terms of probation, a consent  
31 agreement or a stipulation issued or entered into by the board or its  
32 executive director pursuant to this chapter.
- 33 20. Failing to comply with a board subpoena or failing to comply in  
34 a timely manner with a board subpoena without providing any explanation to  
35 the board for not complying with the subpoena.
- 36 21. Failing to provide the board or its employees or agents or an  
37 authorized federal or state official conducting a site investigation,  
38 inspection or audit with access to any place for which a permit has been  
39 issued or for which an application for a permit has been submitted.
- 40 22. Failing to notify the board of a change of ownership,  
41 management or pharmacist in charge.
- 42 23. Failing to promptly produce on the request of the official  
43 conducting a site investigation, inspection or audit any book, record or  
44 document.

1           24. Overruling or attempting to overrule a pharmacist in matters of  
2 pharmacy ethics or interpreting laws pertaining to the practice of  
3 pharmacy or the distribution of drugs or devices.

4           25. Distributing premiums or rebates of any kind in connection with  
5 the sale of prescription medication, other than to the prescription  
6 medication recipient.

7           26. Failing to maintain effective controls against the diversion of  
8 precursor chemicals to unauthorized persons or entities.

9           27. Fraudulently claiming to have performed a service.

10          28. Fraudulently charging a fee for a service.

11          29. Advertising drugs or devices, or services pertaining to drugs  
12 or devices, in a manner that is untrue or misleading in any particular,  
13 and that is known, or that by the exercise of reasonable care should be  
14 known, to be untrue or misleading.

15          B. In this chapter, unless the context otherwise requires, for the  
16 purposes of disciplining a pharmacist, pharmacy intern or graduate intern,  
17 "unprofessional conduct" means the following, whether occurring in this  
18 state or elsewhere:

19           1. Addiction to the use of alcohol or other drugs to such a degree  
20 as to render the licensee unfit to practice the profession of pharmacy.

21           2. Violating any federal or state law, rule or regulation relating  
22 to the manufacture or distribution of drugs and devices or the practice of  
23 pharmacy.

24           3. Dispensing a different drug or brand of drug in place of the  
25 drug or brand of drug ordered or prescribed without the express permission  
26 in each case of the orderer, or in the case of a prescription order, the  
27 medical practitioner. The conduct prohibited by this paragraph does not  
28 apply to substitutions authorized pursuant to section 32-1963.01.

29           4. Obtaining or attempting to obtain a license to practice pharmacy  
30 or a license renewal by fraud, by misrepresentation or by knowingly taking  
31 advantage of the mistake of another person or an agency.

32           5. Denial or discipline of a licensee's license to practice  
33 pharmacy in another jurisdiction and the license was not reinstated.

34           6. Claiming professional superiority in compounding or dispensing  
35 prescription orders.

36           7. Failing to comply with the mandatory continuing professional  
37 pharmacy education requirements of sections 32-1936 and 32-1937 and rules  
38 adopted by the board.

39           8. Committing a felony, whether or not involving moral turpitude,  
40 or a misdemeanor involving moral turpitude or any drug-related offense.  
41 In either case, conviction by a court of competent jurisdiction or a plea  
42 of no contest is conclusive evidence of the commission.

43           9. Working under the influence of alcohol or other drugs.

44           10. Violating a federal or state law or administrative rule  
45 relating to marijuana, prescription-only drugs, narcotics, dangerous

1 drugs, controlled substances or precursor chemicals when determined by the  
2 board or by conviction in a federal or state court.

3 11. Knowingly dispensing a drug without a valid prescription order  
4 as required pursuant to section 32-1968, subsection A.

5 12. Knowingly dispensing a drug on a prescription order that was  
6 issued in the course of the conduct of business of dispensing drugs  
7 pursuant to diagnosis by mail or the internet, unless the order was any of  
8 the following:

9 (a) Made by a physician who provides temporary patient supervision  
10 on behalf of the patient's regular treating licensed health care  
11 professional or provides a consultation requested by the patient's regular  
12 treating licensed health care professional.

13 (b) Made in an emergency medical situation as defined in  
14 section 41-1831.

15 (c) Written to prepare a patient for a medical examination.

16 (d) Written or the prescription medications were issued for use by  
17 a county or tribal public health department for immunization programs or  
18 emergency treatment or in response to an infectious disease investigation,  
19 a public health emergency, an infectious disease outbreak or an act of  
20 bioterrorism. For the purposes of this subdivision, "bioterrorism" has  
21 the same meaning prescribed in section 36-781.

22 (e) Written or antimicrobials were dispensed by the prescribing or  
23 dispensing physician to a contact as defined in section 36-661 who is  
24 believed to have had significant exposure risk as defined in section  
25 36-661 with another person who has been diagnosed with a communicable  
26 disease as defined in section 36-661.

27 (f) Written or the prescription medications were issued for  
28 administration of immunizations or vaccines listed in the United States  
29 centers for disease control and prevention's recommended immunization  
30 schedule to a household member of a patient.

31 (g) For epinephrine auto-injectors that are written or dispensed  
32 for a school district or charter school and that are to be stocked for  
33 emergency use pursuant to section 15-157 or for an authorized entity to be  
34 stocked pursuant to section 36-2226.01.

35 (h) Written by a licensee through a telemedicine program that is  
36 covered by the policies and procedures adopted by the administrator of a  
37 hospital or outpatient treatment center.

38 (i) Written pursuant to a physical or mental health status  
39 examination that was conducted during a real-time telemedicine encounter  
40 with audio and video capability that meets the elements required by the  
41 centers for medicare and medicaid services.

42 (j) For naloxone hydrochloride or any other opioid antagonist  
43 approved by the United States food and drug administration and written or  
44 dispensed for use pursuant to section 36-2228 or 36-2266.

1           13. Failing to report in writing to the board any evidence that a  
2 pharmacist, pharmacy intern or graduate intern is or may be professionally  
3 incompetent, is or may be guilty of unprofessional conduct or is or may be  
4 mentally or physically unable to safely engage in the practice of  
5 pharmacy.

6           14. Failing to report in writing to the board any evidence that a  
7 pharmacy technician or pharmacy technician trainee is or may be  
8 professionally incompetent, is or may be guilty of unprofessional conduct  
9 or is or may be mentally or physically unable to safely engage in the  
10 permissible activities of a pharmacy technician or pharmacy technician  
11 trainee.

12           15. Failing to report in writing to the board any evidence that a  
13 permittee or a permittee's employee is or may be guilty of unethical  
14 conduct or is or may be in violation of this chapter or a rule adopted  
15 under this chapter.

16           16. Committing an offense in another jurisdiction that if committed  
17 in this state would be grounds for discipline.

18           17. Knowingly filing with the board any application, renewal or  
19 other document that contains false or misleading information.

20           18. Providing false or misleading information or omitting material  
21 information in any communication to the board or the board's employees or  
22 agents.

23           19. Violating or attempting to violate, directly or indirectly, or  
24 assisting in or abetting in the violation of, or conspiring to violate,  
25 this chapter.

26           20. Violating a formal order, terms of probation, a consent  
27 agreement or a stipulation issued or entered into by the board or its  
28 executive director pursuant to this chapter.

29           21. Failing to comply with a board subpoena or failing to comply in  
30 a timely manner with a board subpoena without providing any explanation to  
31 the board for not complying with the subpoena.

32           22. Refusing without just cause to allow authorized agents of the  
33 board to examine documents that are required to be kept pursuant to this  
34 chapter or title 36.

35           23. Participating in an arrangement or agreement to allow a  
36 prescription order or a prescription medication to be left at, picked up  
37 from, accepted by or delivered to a place that is not licensed as a  
38 pharmacy. This paragraph does not prohibit a pharmacist or a pharmacy  
39 from using an employee or a common carrier to pick up prescription orders  
40 at or deliver prescription medications to the office or home of a medical  
41 practitioner, the residence of a patient or a patient's hospital.

42           24. Paying rebates or entering into an agreement for the payment of  
43 rebates to a medical practitioner or any other person in the health care  
44 field.

1           25. Providing or causing to be provided to a medical practitioner  
2 prescription order blanks or forms bearing the pharmacist's or pharmacy's  
3 name, address or other means of identification.

4           26. Fraudulently claiming to have performed a professional service.

5           27. Fraudulently charging a fee for a professional service.

6           28. Failing to report a change of the licensee's home address or  
7 employer as required pursuant to section 32-1926.

8           29. Failing to report a change in the licensee's residency status  
9 as required pursuant to section 32-1926.01.

10          C. In this chapter, unless the context otherwise requires, for the  
11 purposes of disciplining a pharmacy technician or pharmacy technician  
12 trainee, "unprofessional conduct" means the following, whether occurring  
13 in this state or elsewhere:

14           1. Addiction to the use of alcohol or other drugs to such a degree  
15 as to render the licensee unfit to perform the licensee's employment  
16 duties.

17           2. Violating a federal or state law or administrative rule relating  
18 to the manufacture or distribution of drugs or devices.

19           3. Obtaining or attempting to obtain a pharmacy technician or  
20 pharmacy technician trainee license or a pharmacy technician license  
21 renewal by fraud, by misrepresentation or by knowingly taking advantage of  
22 the mistake of another person or an agency.

23           4. Denial or discipline of a licensee's license to practice as a  
24 pharmacy technician in another jurisdiction and the license was not  
25 reinstated.

26           5. Failing to comply with the mandatory continuing professional  
27 education requirements of section 32-1925, subsection ~~I~~ H and rules  
28 adopted by the board.

29           6. Committing a felony, whether or not involving moral turpitude,  
30 or a misdemeanor involving moral turpitude or any drug-related offense.  
31 In either case, conviction by a court of competent jurisdiction or a plea  
32 of no contest is conclusive evidence of the commission.

33           7. Working under the influence of alcohol or other drugs.

34           8. Violating a federal or state law or administrative rule relating  
35 to marijuana, prescription-only drugs, narcotics, dangerous drugs,  
36 controlled substances or precursor chemicals when determined by the board  
37 or by conviction in a federal or state court.

38           9. Failing to report in writing to the board any evidence that a  
39 pharmacist, pharmacy intern or graduate intern is or may be professionally  
40 incompetent, is or may be guilty of unprofessional conduct or is or may be  
41 mentally or physically unable to safely engage in the practice of  
42 pharmacy.

43           10. Failing to report in writing to the board any evidence that a  
44 pharmacy technician or pharmacy technician trainee is or may be  
45 professionally incompetent, is or may be guilty of unprofessional conduct

1 or is or may be mentally or physically unable to safely engage in the  
2 permissible activities of a pharmacy technician or pharmacy technician  
3 trainee.

4 11. Failing to report in writing to the board any evidence that a  
5 permittee or a permittee's employee is or may be guilty of unethical  
6 conduct or is or may be in violation of this chapter or a rule adopted  
7 under this chapter.

8 12. Committing an offense in another jurisdiction that if committed  
9 in this state would be grounds for discipline.

10 13. Knowingly filing with the board any application, renewal or  
11 other document that contains false or misleading information.

12 14. Providing false or misleading information or omitting material  
13 information in any communication to the board or the board's employees or  
14 agents.

15 15. Violating or attempting to violate, directly or indirectly, or  
16 assisting in or abetting in the violation of, or conspiring to violate,  
17 this chapter.

18 16. Violating a formal order, terms of probation, a consent  
19 agreement or a stipulation issued or entered into by the board or its  
20 executive director pursuant to this chapter.

21 17. Failing to comply with a board subpoena or failing to comply in  
22 a timely manner with a board subpoena without providing any explanation to  
23 the board for not complying with the subpoena.

24 18. Failing to report a change of the licensee's home address or  
25 employer as required pursuant to section 32-1926.

26 19. Failing to report a change in the licensee's residency status  
27 as required pursuant to section 32-1926.01.

28 Sec. 2. Section 32-1924, Arizona Revised Statutes, is amended to  
29 read:

30 32-1924. Licenses; fees; rules; signatures

31 A. An applicant for licensure as a pharmacist who passes the ~~board~~  
32 ~~approved~~ BOARD-APPROVED examinations shall pay the board an initial  
33 licensure fee of not more than five hundred dollars.

34 B. An applicant for licensure as a pharmacist, intern, pharmacy  
35 technician or pharmacy technician trainee shall pay a fee prescribed by  
36 the board that does not exceed fifty dollars for issuance of a wall  
37 license. On payment of a fee of not more than fifty dollars, the board  
38 may issue a replacement wall license to a licensee who requests a  
39 replacement because the original was damaged or destroyed, because of a  
40 change of name or for other good cause as prescribed by the board.

41 C. An applicant for licensure as an intern shall pay a fee of not  
42 more than seventy-five dollars. A license issued pursuant to this  
43 subsection expires five years after it is issued. The board shall adopt  
44 rules to prescribe the requirements for the renewal of a license that

1 expires before the pharmacy intern completes the education or training  
2 required for licensure as a pharmacist.

3 D. An applicant for reciprocal licensure as a pharmacist shall pay  
4 a fee of not more than five hundred dollars for the application and  
5 expense of making an investigation of the applicant's character, general  
6 reputation and pharmaceutical standing in the jurisdiction in which the  
7 applicant is licensed.

8 E. All pharmacist licenses shall bear the signatures of the  
9 executive director and a majority of the members of the board.

10 F. An applicant for licensure as a pharmacy technician trainee  
11 shall submit with the application a fee prescribed by the board that does  
12 not exceed one hundred dollars. A license issued pursuant to this  
13 subsection expires ~~twenty-four~~ THIRTY-SIX months after it is issued. ~~The~~  
14 ~~board shall adopt rules to allow a pharmacy technician trainee who is~~  
15 ~~licensed pursuant to this chapter and who does not complete the training~~  
16 ~~program and pass a board approved pharmacy technician licensure~~  
17 ~~examination within the licensure period to reapply for licensure not more~~  
18 ~~than one time.~~ A PHARMACY TECHNICIAN TRAINEE LICENSE MAY NOT BE RENEWED  
19 OR REISSUED.

20 G. An applicant for licensure as a pharmacy technician shall submit  
21 with the application a fee prescribed by the board that does not exceed  
22 one hundred dollars.

23 Sec. 3. Section 32-1925, Arizona Revised Statutes, is amended to  
24 read:

25 32-1925. Renewal of license of pharmacists, interns and  
26 pharmacy technicians; fees; expiration dates;  
27 penalty for failure to renew; continuing education

28 A. Except for interns and pharmacy technician trainees, the board  
29 shall assign all persons WHO ARE licensed under this chapter to one of two  
30 license renewal groups. Except as provided in section 32-4301, a holder  
31 of a license certificate ending in an even number shall renew it  
32 biennially on or before November 1 of the ~~even numbered~~ EVEN-NUMBERED  
33 year, two years from the last renewal date. Except as provided in section  
34 32-4301, a holder of a license certificate ending in an odd number shall  
35 renew it biennially on or before November 1 of the ~~odd numbered~~  
36 ODD-NUMBERED year, two years from the last renewal date. Failure to renew  
37 and pay all required fees on or before November 1 of the year in which the  
38 renewal is due suspends the license. The board shall vacate a suspension  
39 when the licensee pays all past due fees and penalties. Penalties shall  
40 not exceed three hundred fifty dollars. The board may waive collection of  
41 a fee or penalty due after suspension under conditions established by a  
42 majority of the board.

43 ~~B. The board shall prorate the fee for a new license for the~~  
44 ~~remaining full calendar months of the respective group to which the~~  
45 ~~licensee is assigned.~~

1           ~~C.~~ B. A person shall not apply for license renewal more than sixty  
2 days before the expiration date of the license.

3           ~~D.~~ C. A person who is licensed as a pharmacist or a pharmacy  
4 technician and who has not renewed the license for five consecutive years  
5 shall furnish to the board satisfactory proof of fitness to be licensed as  
6 a pharmacist or a pharmacy technician, in addition to the payment of all  
7 past due fees and penalties before being reinstated.

8           ~~E.~~ D. Biennial renewal fees for licensure shall be not more than:

9           1. For a pharmacist, two hundred fifty dollars.

10          2. For a pharmacy technician, one hundred dollars.

11          3. For a duplicate renewal license, twenty-five dollars.

12          ~~F.~~ E. Fees that are designated to be not more than a maximum  
13 amount shall be set by the board for the following two fiscal years  
14 beginning November 1. The board shall establish fees approximately  
15 proportionate to the maximum fee allowed to cover the board's anticipated  
16 expenditures for the following two fiscal years. Variation in a fee is  
17 not effective except at the expiration date of a license.

18          ~~G.~~ F. The board shall not renew a license for a pharmacist unless  
19 the pharmacist has complied with the mandatory continuing professional  
20 pharmacy education requirements of sections 32-1936 and 32-1937.

21          ~~H.~~ G. The board shall prescribe intern licensure renewal fees that  
22 do not exceed seventy-five dollars. The license of an intern who does not  
23 receive specific board approval to renew the intern license or who  
24 receives board approval to renew but who does not renew and pay all  
25 required fees before the license expiration date is suspended after the  
26 license expiration date. The board shall vacate a suspension if the  
27 licensee pays all past due fees and penalties. Penalties shall not exceed  
28 three hundred fifty dollars. The board may waive collection of a fee or  
29 penalty due after suspension under conditions established by the board.

30          ~~I.~~ H. The board shall not renew a license for a pharmacy  
31 technician unless that person has a current ~~board approved~~ BOARD-APPROVED  
32 license and has complied with ~~board approved~~ BOARD-APPROVED mandatory  
33 continuing professional education requirements.

34          Sec. 4. Section 32-1931, Arizona Revised Statutes, is amended to  
35 read:

36          32-1931. Permit fees; issuance; expiration; renewals

37          A. The board shall assign the permit of all persons or firms issued  
38 under this chapter to one of two permit renewal groups. Except as  
39 provided in section 32-4301, a holder of a permit ending in an even number  
40 shall renew it biennially on or before November 1 of the ~~even numbered~~  
41 EVEN-NUMBERED year, two years from the last renewal date. Except as  
42 provided in section 32-4301, a holder of a permit ending in an odd number  
43 shall renew it biennially on or before November 1 of the ~~odd numbered~~  
44 ODD-NUMBERED year, two years from the last renewal date. Failure to renew  
45 and pay all required fees on or before November 1 of the year in which the

1 renewal is due suspends the permit. The board shall vacate a suspension  
2 when the permittee pays penalties of not to exceed three hundred fifty  
3 dollars and all past due fees. The board may waive collection of a fee or  
4 penalty due after suspension under conditions established by a majority of  
5 the board.

6 ~~B. The board shall prorate the fee for new permits for the~~  
7 ~~remaining full calendar months of the respective group to which the permit~~  
8 ~~is assigned.~~

9 ~~C.~~ B. Permit fees that are designated to be not more than a  
10 maximum amount shall be set by the board for the following two fiscal  
11 years beginning November 1. The board shall establish the fees  
12 approximately proportionate to the maximum fee allowed to cover the  
13 board's anticipated expenditures for the following two fiscal  
14 years. Variation in a fee is not effective except at the expiration date  
15 of the permit.

16 ~~D.~~ C. Applications for permits shall be accompanied by the  
17 following biennial fees as determined by subsection ~~C~~ B of this section:

18 1. A nonprescription drug permit, not more than two hundred  
19 dollars. Permittees stocking thirty different nonprescription drug  
20 products or less shall be classified as category I retailers. Permittees  
21 stocking more than thirty different nonprescription drug products shall be  
22 classified as category II retailers. Both categories are subject to  
23 biennial permit fees established by the board pursuant to this chapter.

24 2. A drug manufacturer's permit, not more than one thousand  
25 dollars.

26 3. A pharmacy permit, not more than five hundred dollars.

27 4. A limited service pharmacy permit, not more than five hundred  
28 dollars.

29 5. A full service wholesale drug permit, not more than one thousand  
30 dollars.

31 6. A nonprescription drug wholesale permit, not more than five  
32 hundred dollars.

33 7. A drug repackager's permit, not more than one thousand dollars.

34 8. A compressed medical gas distributor permit, not more than two  
35 hundred dollars.

36 9. A durable medical equipment and compressed medical gas supplier  
37 permit, not more than one hundred dollars.

38 ~~E.~~ D. If an applicant is found to be satisfactory to the board,  
39 the executive director shall issue to the applicant a permit for each  
40 pharmacy, manufacturer, wholesaler or other place of business in which  
41 drugs are sold, manufactured, compounded, dispensed, stocked, exposed or  
42 offered for sale, for which application is made.

43 ~~F.~~ E. Permits issued under this section are not transferable.

44 ~~G.~~ F. If a permittee does not apply for renewal, the permit  
45 expires pursuant to subsection A of this section. A person may activate

1 and renew an expired permit by filing the required application and fee.  
2 Renewal thirty days after the expiration date of a permit may be made only  
3 on payment of the required biennial renewal fee, all past due fees and a  
4 penalty of one-half of the amount of the applicable biennial renewal  
5 fee. The board may waive the collection of a fee or penalty due after  
6 suspension pursuant to conditions prescribed by the board.

7 Sec. 5. Exemption from rulemaking

8 For the purposes of this act, the Arizona state board of pharmacy is  
9 exempt from the rulemaking requirements of title 41, chapter 6, Arizona  
10 Revised Statutes, for one year after the effective date of this act,  
11 except that the board shall provide public notice and an opportunity for  
12 public comment on proposed rules at least thirty days before the rules are  
13 adopted or amended. The rules shall address renewals for pharmacy  
14 technician trainees who were issued initial licenses before the effective  
15 date of this act.

**APPROVED BY THE GOVERNOR MARCH 29, 2017.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 29, 2017.**

Passed the House March 23, 20 17,

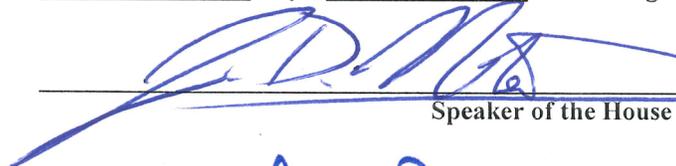
Passed the Senate January 26, 20 17,

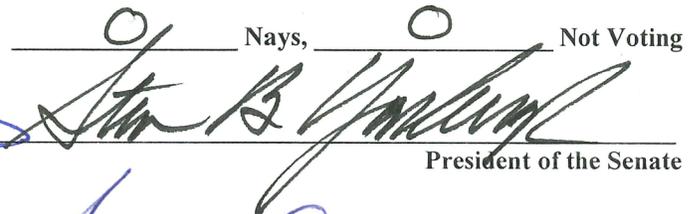
by the following vote: 55 Ayes,

by the following vote: 30 Ayes,

0 Nays, 5 Not Voting

0 Nays, 0 Not Voting

  
\_\_\_\_\_  
Speaker of the House  
  
\_\_\_\_\_  
Chief Clerk of the House

  
\_\_\_\_\_  
President of the Senate  
  
\_\_\_\_\_  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

27 day of March, 20 17,

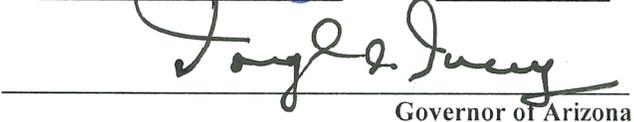
at 1:51 o'clock P. M.

  
\_\_\_\_\_  
Secretary to the Governor

Approved this 29<sup>th</sup> day of

March, 20 17,

at 2:43 o'clock P. M.

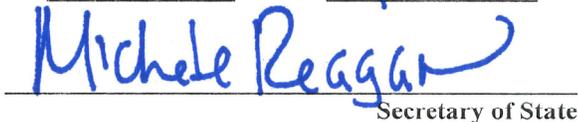
  
\_\_\_\_\_  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 29 day of March, 20 17,

at 4:59 o'clock P. M.

  
\_\_\_\_\_  
Secretary of State

S.B. 1029