



Arizona Administrative REGISTER

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ABOUT THIS PUBLICATION

The authenticated pdf of the *Administrative Register* (A.A.R.) posted on the Arizona Secretary of State's website is the official published version for rulemaking activity in the state of Arizona.

Rulemaking is defined in Arizona Revised Statutes known as the Arizona Administrative Procedure Act (APA), A.R.S. Title 41, Chapter 6, Articles 1 through 10.

The *Register* is cited by volume and page number. Volumes are published by calendar year with issues published weekly. Page numbering continues in each weekly issue.

In addition, the *Register* contains notices of rules terminated by the agency and rules that have expired.

ABOUT RULES

Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number). Rulemaking activity published in the *Register* includes: proposed, final, emergency, expedited, and exempt rules as defined in the APA, and other state statutes.

New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.

WHERE IS A "CLEAN" COPY OF THE FINAL OR EXEMPT RULE PUBLISHED IN THE REGISTER?

The *Arizona Administrative Code* (A.A.C.) contains the codified text of rules. The A.A.C. contains rules promulgated and filed by state agencies that have been approved by the Attorney General or the Governor's Regulatory Review Council. The *Code* also contains rules exempt from the rulemaking process.

The authenticated pdf of *Code* chapters posted on the Arizona Secretary of State's website are the official published version of rules in the A.A.C. The *Code* is posted online for free.

LEGAL CITATIONS AND FILING NUMBERS

On the cover: Each agency is assigned a Chapter in the *Arizona Administrative Code* under a specific Title. Titles represent broad subject areas. The Title number is listed first; with the acronym A.A.C., which stands for the *Arizona Administrative Code*; following the Chapter number and Agency name, then program name. For example, the Secretary of State has rules on rulemaking in Title 1, Chapter 1 of the *Arizona Administrative Code*. The citation for this chapter is 1 A.A.C. 1, Secretary of State, Rules and Rulemaking

Every document filed in the office is assigned a file number. This number, enclosed in brackets, is located at the top right of the published documents in the *Register*. The original filed document is available for 10 cents a page.

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ADMINISTRATIVE REGISTER
This publication is available online for free at www.azsos.gov.

ADMINISTRATIVE CODE
A price list for the *Arizona Administrative Code* is available online. You may also request a paper price list by mail. To purchase a paper Chapter, contact us at (602) 364-3223.

PUBLICATION DEADLINES
Publication dates are published in the back of the *Register*. These dates include file submittal dates with a three-week turnaround from filing to published document.

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Participate in the Process

Look for the Agency Notice

Review (inspect) notices published in the *Arizona Administrative Register*. Many agencies maintain stakeholder lists and would be glad to inform you when they proposed changes to rules. Check an agency's website and its newsletters for news about notices and meetings.

Feel like a change should be made to a rule and an agency has not proposed changes? You can petition an agency to make, amend, or repeal a rule. The agency must respond to the petition. (See A.R.S. § 41-1033)

Attend a public hearing/meeting

Attend a public meeting that is being conducted by the agency on a Notice of Proposed Rulemaking. Public meetings may be listed in the Preamble of a Notice of Proposed Rulemaking or they may be published separately in the *Register*. Be prepared to speak, attend the meeting, and make an oral comment.

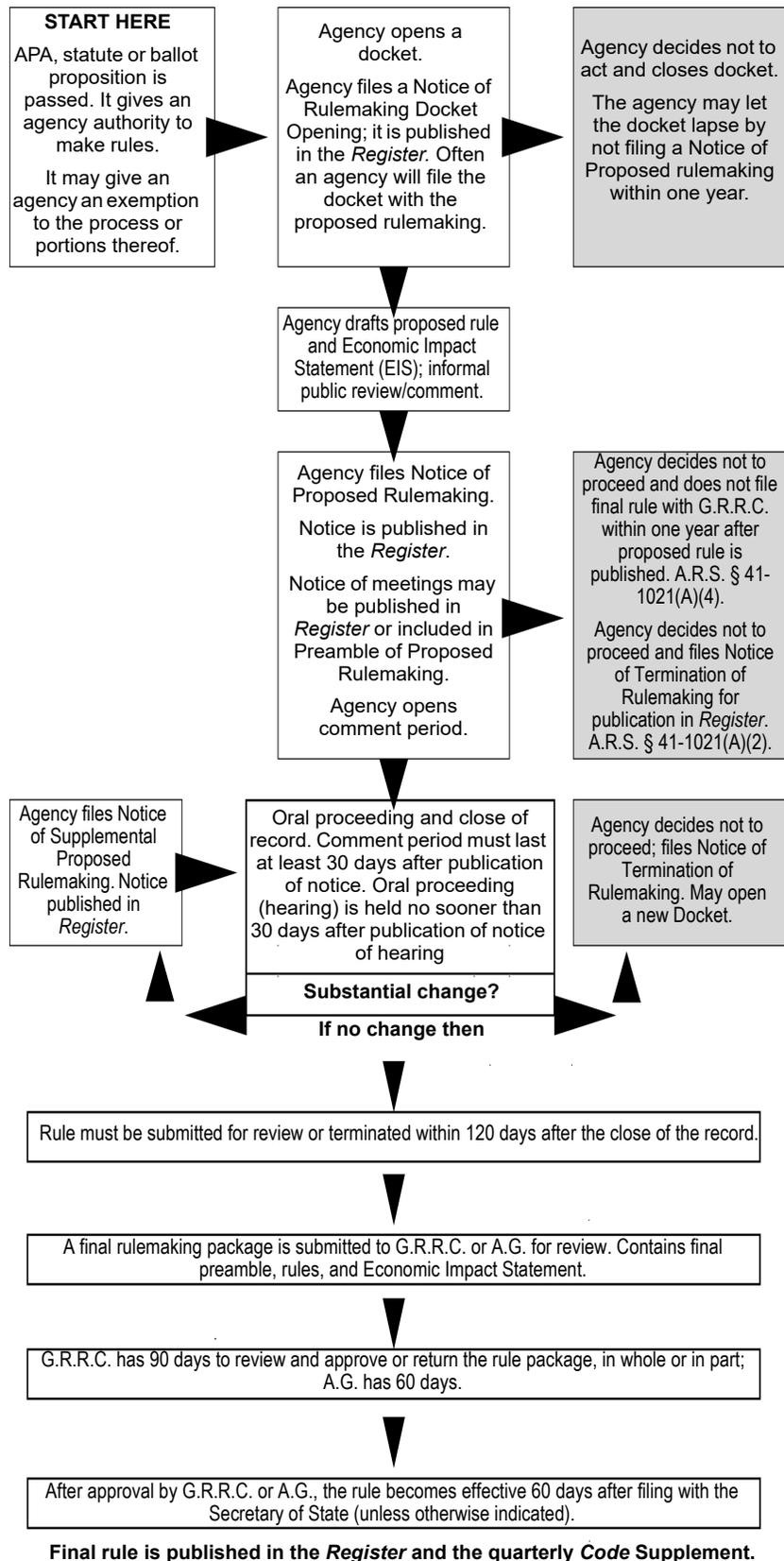
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

Write the agency

Put your comments in writing to the agency. In order for the agency to consider your comments, the agency must receive them by the close of record. The comment must be received within the 30-day comment timeframe following the *Register* publication of the Notice of Proposed Rulemaking.

You can also submit to the Governor's Regulatory Review Council written comments that are relevant to the Council's power to review a given rule (A.R.S. § 41-1052). The Council reviews the rule at the end of the rulemaking process and before the rules are filed with the Secretary of State.

Arizona Regular Rulemaking Process



Definitions

Arizona Administrative Code (A.A.C.): Official rules codified and published by the Secretary of State's Office. Available online at www.azsos.gov.

Arizona Administrative Register (A.A.R.): The official publication that includes filed documents pertaining to Arizona rulemaking. Available online at www.azsos.gov.

Administrative Procedure Act (APA): A.R.S. Title 41, Chapter 6, Articles 1 through 10. Available online at www.azleg.gov.

Arizona Revised Statutes (A.R.S.): The statutes are made by the Arizona State Legislature during a legislative session. They are compiled by Legislative Council, with the official publication codified by Thomson West. Citations to statutes include Titles which represent broad subject areas. The Title number is followed by the Section number. For example, A.R.S. § 41-1001 is the definitions Section of Title 41 of the Arizona Administrative Procedures Act. The "§" symbol simply means "section." Available online at www.azleg.gov.

Chapter: A division in the codification of the *Code* designating a state agency or, for a large agency, a major program.

Close of Record: The close of the public record for a proposed rulemaking is the date an agency chooses as the last date it will accept public comments, either written or oral.

Code of Federal Regulations (CFR): The *Code of Federal Regulations* is a codification of the general and permanent rules published in the *Federal Register* by the executive departments and agencies of the federal government.

Docket: A public file for each rulemaking containing materials related to the proceedings of that rulemaking. The docket file is established and maintained by an agency from the time it begins to consider making a rule until the rulemaking is finished. The agency provides public notice of the docket by filing a Notice of Rulemaking Docket Opening with the Office for publication in the *Register*.

Economic, Small Business, and Consumer Impact Statement (EIS): The EIS identifies the impact of the rule on private and public employment, on small businesses, and on consumers. It includes an analysis of the probable costs and benefits of the rule. An agency includes a brief summary of the EIS in its preamble. The EIS is not published in the *Register* but is available from the agency promulgating the rule. The EIS is also filed with the rulemaking package.

Governor's Regulatory Review (G.R.R.C.): Reviews and approves rules to ensure that they are necessary and to avoid unnecessary duplication and adverse impact on the public. G.R.R.C. also assesses whether the rules are clear, concise, understandable, legal, consistent with legislative intent, and whether the benefits of a rule outweigh the cost.

Incorporated by Reference: An agency may incorporate by reference standards or other publications. These standards are available from the state agency with references on where to order the standard or review it online.

Federal Register (FR): The *Federal Register* is a legal newspaper published every business day by the National Archives and Records Administration (NARA). It contains federal agency regulations; proposed rules and notices; and executive orders, proclamations, and other presidential documents.

Session Laws or "Laws": When an agency references a law that has not yet been codified into the Arizona Revised Statutes, use the word "Laws" is followed by the year the law was passed by the Legislature, followed by the Chapter number using the abbreviation "Ch.," and the specific Section number using the Section symbol (§). For example, Laws 1995, Ch. 6, § 2. Session laws are available at www.azleg.gov.

United States Code (U.S.C.): The Code is a consolidation and codification by subject matter of the general and permanent laws of the United States. The Code does not include regulations issued by executive branch agencies, decisions of the federal courts, treaties, or laws enacted by state or local governments.

Acronyms

A.A.C. – *Arizona Administrative Code*

A.A.R. – *Arizona Administrative Register*

APA – *Administrative Procedure Act*

A.R.S. – *Arizona Revised Statutes*

CFR – *Code of Federal Regulations*

EIS – *Economic, Small Business, and Consumer Impact Statement*

FR – *Federal Register*

G.R.R.C. – *Governor's Regulatory Review Council*

U.S.C. – *United States Code*

About Preambles

The Preamble is the part of a rulemaking package that contains information about the rulemaking and provides agency justification and regulatory intent.

It includes reference to the specific statutes authorizing the agency to make the rule, an explanation of the rule, reasons for proposing the rule, and the preliminary Economic Impact Statement.

The information in the Preamble differs between rulemaking notices used and the stage of the rulemaking.



NOTICES OF FINAL EXEMPT RULEMAKING

This section of the *Arizona Administrative Register* contains Notices of Final Exempt Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these rules.

Questions about the interpretation of the final exempt rule should be addressed to the agency proposing them.

Refer to Item #5 to contact the person charged with the rulemaking.

**NOTICE OF FINAL EXEMPT RULEMAKING
TITLE 13. PUBLIC SAFETY
CHAPTER 11. BOARD OF FINGERPRINTING**

[R20-172]

PREAMBLE

1. **Article, Part, or Section Affected (as applicable)** **Rulemaking Action**

R13-11-102	Amend
R13-11-104	Amend
R13-11-105	Amend
R13-11-106	Amend
R13-11-107	Repeal
R13-11-108	Repeal
R13-11-109	Amend
R13-11-110	Amend
R13-11-113	Amend
R13-11-114	New Section

2. **Citations to the agency's statutory rulemaking authority to include both the authorizing statute (general) and the implementing statute (specific):**
 Authorizing statute: A.R.S. § 41-619.53(A)(2)
 Implementing statute: A.R.S. § 41-619.53(A)(2) and (A)(5)
 Statute or session law authorizing the exemption: A.R.S. § 41-619.53(A)(2)

3. **The effective date for the rules and the reason the agency selected the effective date:**
 September 30, 2020

4. **Citation to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the exempt rulemaking:**
 Not applicable

5. **The agency's contact person who can answer questions about the rulemaking:**
 Name: Matthew Scheller, Executive Director
 Address: Arizona Board of Fingerprinting
 P.O. Box 6129
 Phoenix, AZ 85005
 Telephone: (602) 265-0135
 E-mail: matthew.scheller@fingerprint.az.gov
 Website: fingerprint.az.gov

6. **An agency's justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:**
 In a five-year-review report approved by the Council on March 3, 2020, the Board identified multiple minor changes that needed to be made to the rules. It also determined, consistent with a report by the Arizona Auditor General dated October 2019, that the fee charged for a good cause exception or a central registry exception determination should be reduced. This rulemaking makes the identified changes and reduces the fee charged for an exception determination. The rulemaking also reformatted the information in R13-11-106, R13-11-107, and R13-11-108 to comply with the second paragraph of Executive Order 2020-02. An exemption from Executive Order 2020-02 was provided by Trista Guzman Glover of the Governor's office in an e-mail dated August 20, 2020.

7. **A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
 The Board did not review or rely on a study in its evaluation of or justification for any rule in this rulemaking.

8. **A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**
 Not applicable



- 9. A summary of the economic, small business, and consumer impact, if applicable:**
 Under A.R.S. § 41-619.53(A)(2), this rulemaking is exempt from the requirements at A.R.S. Title 41, Chapter 6 including the requirement that an economic, small business, and consumer impact statement be prepared.
 The most significant change in this rulemaking is the reduction in the charge made for a good cause or central registry exception determination. The charge was reduced from \$7 to \$4 for each individual who applies for a fingerprint clearance card. In fiscal year 2019, DPS issued 157,085 fingerprint clearance cards. If this reduction had been in place, those who applied for a fingerprint clearance card would have saved a total of \$471,255 and this amount would not have gone into the Board of Fingerprinting Fund established under A.R.S. § 41-619.56.
- 10. A description of any changes between the proposed rulemaking, including supplemental notices, and the final rulemaking (if applicable):**
 Not applicable
- 11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to comments, if applicable:**
 The Board received no public comments about the rulemaking. Personnel at the Department of Public Safety indicated changes necessary to enable the Department to collect the reduced fee for a fingerprint clearance card exception have been made and will be implemented on October 1, 2020.
- 12. Other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:**
 None
 - a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**
 The Board does not issue permits. Rather, the Board makes determinations regarding a good cause or central registry exemption based on statutory criteria at A.R.S. § 41-619.55 or 41-619.57.
 - b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**
 No federal law applies to these rules.
 - c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:**
 No analysis was submitted.
- 13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rule:**
 None
- 14. Whether the rule was previously made, amended, or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:**
 None of the rules was previously made, amended, or repealed as an emergency rule.
- 15. The full text of the rules follows:**

**TITLE 13. PUBLIC SAFETY
 CHAPTER 11. BOARD OF FINGERPRINTING**

ARTICLE 1. BOARD OF FINGERPRINTING

Section

- R13-11-102. Definitions
- R13-11-104. Application Requirements
- R13-11-105. Expedited Review
- R13-11-106. ~~Request to Vacate, Reschedule, or Continue Hearing; Reconvening a Hearing Matters~~
- R13-11-107. ~~Telephonic Testimony Repealed~~
- R13-11-108. ~~Hearings Repealed~~
- R13-11-109. Ex Parte Communications
- R13-11-110. Rehearing or Review of Decision
- R13-11-113. ~~Fees Fee~~
- R13-11-114. ~~Interim Work Permit~~

ARTICLE 1. BOARD OF FINGERPRINTING

R13-11-102. Definitions

~~The~~ The definitions at A.R.S. § 41-619.51 apply to this Article. Additionally, in this Article, the following definitions apply, unless the context otherwise requires:

- 1. "Applicant" means a person who applies for a: ~~good~~
 - a. Good cause exception under A.R.S. § 41-619.55 and who is qualified for a good cause exception under A.R.S. §§ 41-1758.03(C) or (L), 41-1758.04(D), or 41-1758.07(C) or (L); or a central



- b. Central registry exception under A.R.S. § 41-619.57 and who is qualified for a central registry exception under A.R.S. § 8-804(J).
2. ~~“Board” means the Board of Fingerprinting.~~
3. ~~“Central registry exception” means notification to the Department of Economic Security or the Department of Health Services, as appropriate, pursuant to A.R.S. § 41-619.57 that the person is not disqualified because of a central registry check conducted pursuant to A.R.S. § 8-804.~~
- 4.2. ~~“Central registry exception application” means all the documents required by A.A.C. R13-11-104(B).~~
- 5.3. ~~“CPS” means Child Protective Services.~~
- 6.4. ~~“DES” means the Department of Economic Security.~~
- 7.5. ~~“DES notice” means the notice of disqualification because of a central registry background check that the Department of Economic Security sends to an applicant under A.R.S. § 8-804(H).~~
- 8.6. ~~“DPS” means the Department of Public Safety.~~
- 9.7. ~~“DPS notice” means the notice of denial or suspension of a fingerprint clearance card that the Department of Public Safety DPS sends to a fingerprint clearance card applicant under A.R.S. § 41-1758.04.~~
- 10.8. ~~“Expedited review” means an examination by the Board, without the applicant being present and in accordance with R13-11-105, of the documents an applicant submits.~~
- 11.9. ~~“Good cause exception” means the issuance of a fingerprint clearance card to an applicant under A.R.S. § 41-619.55.~~
- 12.10. ~~“Good cause exception application” means all of the documents required by A.A.C. R13-11-104(A).~~
- 13.11. ~~“Hearing officer” means an administrative law judge or other person appointed by the Board to determine good cause exceptions or central registry exceptions.~~

R13-11-104. Application Requirements

- A. ~~Good cause exception application. A good cause exception application shall consist of both the criminal history information provided by DPS and~~ To apply for a good cause exception, an applicant shall submit the following materials submitted by an applicant to the Board within one year from the date of the denial or suspension letter from DPS:
1. ~~The good cause exception application form, prescribed by which is available on the Board Board’s website. This~~ The applicant shall have the completed form shall be notarized before submitting the form.
 2. A copy of the denial or suspension letter from DPS.
 - 2.3. ~~Two letters of reference, using the form on forms prescribed by available on the Board Board’s website, that~~ which meet the following requirements:
 - a. ~~Both letters of reference shall be are~~ from individuals who have known the applicant for at least one year; and
 - b. ~~At least one letter of reference shall be is~~ from the applicant’s current or former employer or from an individual who has known the applicant for at least three years.
 - 3.4. ~~If the DPS notice indicates that DPS could not determine the disposition of a charge, documents from the appropriate court showing the disposition of the charge or showing that records pertaining to the applicant either do not exist or have been purged.~~
 - 4.5. ~~For any charges charge that occurred no more than five years or less prior to before the date on the DPS notice, regardless of whether the charges were charge is listed on the DPS notice, the police report for each charge and documents from the appropriate court showing the disposition of the charge.~~
 - 5.6. ~~For every any criminal conviction, regardless of whether the offenses were offense is listed on the DPS notice, documents from the appropriate court showing that either the applicant has met all judicially imposed obligations or sentencing conditions or that records pertaining to the applicant either do not exist or have been purged. If the applicant has not met all judicially imposed obligations or sentencing conditions, the applicant shall provide a written statement indicating or documents from the appropriate court showing the status of the applicant’s efforts toward meeting the obligations.~~
 - 6.7. ~~A statement written by the applicant that explains each charge, regardless of whether the charges were charge is listed on the DPS notice.~~
- B. ~~Central registry exception application. A central registry exception application shall consist of the criminal history information provided by DPS, the redacted CPS report and investigative information provided by DES, and~~ To apply for a central registry exception, an applicant shall submit the following materials submitted by an applicant to the Board:
1. ~~The central registry exception application form, which is available on prescribed by the Board Board’s website. This~~ The applicant shall have the completed form shall be notarized before submitting the form.
 2. A copy of the denial letter from DCS or DPS.
 - 2.3. ~~Two letters of reference, on forms prescribed by using the form available on the Board Board’s website, that~~ which meet the following requirements:
 - a. ~~Both letters of reference shall be are~~ from individuals who have known the applicant for at least one year; and
 - b. ~~At least one letter of reference shall be is~~ from the applicant’s current or former employer or from an individual who has known the applicant for at least three years.
 - 3.4. ~~If the applicant has had any criminal charges:~~
 - a. ~~Documents from the appropriate court showing either the disposition of the criminal charges or showing that records pertaining to the applicant either do not exist or have been purged;~~
 - b. ~~For any charges charge that occurred no more than five years or less prior to before the date on the DES notice, the police report for each the charge and documents from the appropriate court showing the disposition of each the charge;~~
 - c. ~~For every any criminal conviction, documents from the appropriate court showing that either the applicant has met all judicially imposed obligations or sentencing conditions or that records pertaining to the applicant either do not exist or have been purged. If the applicant has not met all judicially imposed obligations or sentencing conditions, the applicant shall provide a written statement indicating or documents from the appropriate court showing the status of the applicant’s efforts toward meeting the obligations;~~ and
 - d. ~~A statement written by the applicant that explains each criminal charge.~~



4-5. A statement written by the applicant that explains each incident that led to a substantiated allegation of child abuse or neglect.

5-6. If CPS assigned a case plan to the applicant, the current CPS case plan or documentation from CPS showing that the case plan is unavailable.

C. After receiving the application form required under subsection (A) or (B), the Board shall conduct an investigation that includes obtaining the applicant's full criminal history record from DPS and, if applicable, the redacted CPS report and other investigative information available from DES.

~~C-D.~~ The Board or its hearing officer may accept any other documents an applicant submits, as allowed by A.R.S. § 41-1062.

R13-11-105. Expedited Review

A. Within 20 days ~~of~~ after receiving an application, the Board shall conduct an expedited review. When determining whether the applicant should receive a good cause exception or central registry exception under an expedited review, the Board shall consider the following:

- 1. The criteria listed in A.R.S. § 41-619.55(E) for ~~a~~ a good cause exception ~~applications application~~ or A.R.S. § 41-619.57(E) for ~~a~~ a central registry exception ~~applications application~~; and
- 2. Whether the documentation submitted in support of a good cause exception application or central registry exception application is sufficient to allow the Board to grant a good cause exception or central registry exception, or whether the Board requires further documentation or oral testimony.

B. If the Board determines under an expedited review that the applicant is eligible for a good cause exception or central registry exception ~~under an expedited review~~, the Board shall grant the applicant a good cause or central registry exception.

C. If the Board determines under an expedited review that ~~an~~ the applicant is not eligible for a good cause exception or central registry exception ~~under an expedited review~~, the Board shall direct the Board's executive director to schedule a hearing. The Board's executive director shall give the applicant reasonable notice of the hearing in accordance with A.R.S. § 41-1061. The hearing shall take place within 45 days after the expedited review.

R13-11-106. Request to Vacate, Reschedule, or Continue Hearing; Reconvening a Hearing Matters

A. ~~An applicant who wishes to~~ Request to vacate or reschedule a hearing. To request that the Board or its hearing officer vacate or reschedule a hearing, an applicant shall submit a written request to the Board before the date of the scheduled hearing.

~~B-1.~~ The Board or its hearing officer shall give ~~an~~ the applicant written ~~notification notice if a~~ notice of whether the request to vacate or reschedule the hearing has been is vacated or rescheduled granted or denied. If the hearing is rescheduled, the Board or its hearing officer shall include in the notice the date of the rescheduled hearing.

~~C-2.~~ Vacating a hearing. The Board or its hearing officer may vacate a hearing if:

- ~~1-a.~~ The applicant no longer requires a good cause exception or central registry exception;
- ~~2-b.~~ The applicant withdraws the application by submitting a written notice to the Board; or
- ~~3-c.~~ Facts demonstrate to the Board or its hearing officer that it is appropriate to vacate the hearing ~~if the action will further for~~ the purpose of administrative convenience, ~~expedience expediency, and~~ or economy and ~~the action~~ does not conflict with law or cause undue prejudice to any party.

~~D-3.~~ Rescheduling a hearing. The Board or its hearing officer may reschedule a hearing if:

- ~~1-a.~~ The applicant shows that attending the calendared hearing would cause excessive or undue prejudice or hardship;
- ~~2-b.~~ The applicant shows that attending the calendared hearing would be impossible, using ~~reasonable diligence~~ the effort expected from a reasonable person under the circumstances; or
- ~~3-c.~~ Facts demonstrate to the Board or its hearing officer that it is appropriate to reschedule the hearing for the purpose of administrative convenience, ~~expedience expediency, and~~ or economy and ~~the action~~ does not conflict with law or cause undue prejudice to any party.

~~E-B.~~ Continuing a hearing. ~~When ruling on a motion to continue a hearing, the~~ The Board or its hearing officer shall consider ~~such~~ the following factors as when ruling on a motion to continue a hearing:

- 1. The reasons for continuing the hearing; and
- 2. Whether the continuance will cause undue prejudice to any party.

~~F-C.~~ Reconvening a hearing. The Board or its hearing officer may recess a hearing and reconvene at a future date by a verbal ruling.

D. Testimony by telephone or electronic means. An applicant who wishes to submit or have a witness submit testimony at a hearing by telephone or electronic means shall submit a written request to the Board before the time of the scheduled hearing. The Board or its hearing officer may allow the applicant or the applicant's witness to submit testimony by telephone or electronic means at the hearing if:

- 1. Personal attendance by the applicant or the applicant's witness at the hearing will present an undue hardship for the applicant or the applicant's witness;
- 2. Testimony by telephone or electronic means will not cause undue prejudice to any party; and
- 3. The applicant or the applicant's witness assumes the cost of testifying by telephone or electronic means.

E. Failure to appear. Absent good cause, if an applicant fails to appear at a scheduled hearing, the Board may deny a good cause exception or central registry exception to the applicant. The Board, using its discretion, shall determine whether good cause exists.

- 1. An applicant demonstrates good cause by showing that the applicant:
 - a. Could not have been present at the hearing using the effort expected from a reasonable person under the circumstances, or
 - b. Requested that the hearing be rescheduled under R13-11-106.
- 2. The Board shall not accept the applicant's failure to inform the Board of a change in address as grounds for good cause.

F. Board decision. The Board shall grant or deny a good cause exception or central registry exception within 80 days after the hearing.

**R13-11-107. ~~Telephonic Testimony~~ Repealed**

- ~~A. An applicant who wishes to submit or have a witness submit telephonic testimony at the hearing shall submit a written request to the Board.~~
- ~~B. The Board or its hearing officer may allow the applicant or the applicant's witness to submit telephonic testimony at the hearing if:~~
- ~~1. Personal attendance by the applicant or the applicant's witness at the hearing will present an undue hardship for the applicant or the applicant's witness;~~
 - ~~2. Telephonic presence will not cause undue prejudice to any party; and~~
 - ~~3. The applicant or the applicant's witness assumes the cost of testifying telephonically.~~

R13-11-108. ~~Hearings~~ Repealed

- ~~A. Absent good cause, if the applicant fails to appear at a hearing, the Board may deny the good cause exception application or central registry exception application for failure to appear at the hearing. An applicant demonstrates good cause by showing that the applicant could not have been present at the hearing or requested that the hearing be rescheduled pursuant to R13-11-106, using reasonable diligence. An applicant's failure to inform the Board of a change in address shall not constitute grounds for good cause. The Board shall determine whether good cause exists.~~
- ~~B. The Board shall grant or deny a good cause exception or central registry exception within 80 days of the hearing.~~

R13-11-109. Ex Parte Communications

- A. In any good cause exception or central registry exception case, except to the extent required for disposition of *ex parte* matters as authorized by law:
1. ~~No~~ An interested person outside the Board ~~may shall not~~ make or knowingly cause to be made to any Board ~~members member~~, hearing officer, or other employee or consultant who may reasonably be expected to be involved in the decisional process of the proceeding, an *ex parte* communication relevant to the merits of the proceeding; and
 2. ~~No~~ A Board member, hearing officer, or other employee or consultant who is or may be reasonably expected to be involved in the decisional process of the proceeding, ~~may shall not~~ make or knowingly cause to be made to any interested person outside the Board an *ex parte* communication relevant to the merits of the determination.
- B. A Board member, hearing officer, or other employee or consultant who is or may be reasonably expected to be involved in the decisional process of the proceeding, who receives, makes, or knowingly causes to be made a communication prohibited ~~by R13-11-109(A)~~ under subsection (A), ~~must shall~~ place on the record of the proceeding and serve on all parties to the proceeding:
1. All prohibited written communications;
 2. Memoranda stating the substance of all prohibited oral communications; and
 3. All written responses, and memoranda stating the substance of all oral responses, to the communications described in ~~(1) and (2) of this subsection~~ subsections (B)(1) and (B)(2).
- C. ~~Upon receipt of~~ If the Board receives a communication made or knowingly caused to be made by a party in violation of this Section, the Board or its hearing officer may require the party to show cause why ~~his or her~~ the party's claim or interest in the proceeding should not be dismissed, denied, disregarded, or otherwise adversely affected because of the violation.
- D. The provisions of this Section apply beginning when ~~the~~ an application for a good cause exception or central registry exception is filed.
- E. For the purposes of this Section:
1. "Person outside the Board" means any person other than a Board member, employee or consultant of the Board, or attorney representing the Board in its adjudicatory role.
 2. "*Ex parte* communication" means an oral or written communication not on the administrative record and not the subject of reasonable prior notice to all parties.

R13-11-110. Rehearing or Review of Decision

- A. An applicant may seek a review or rehearing of a Board decision that results from an administrative hearing by submitting a written request for a review or rehearing to the Board within 30 days ~~from after~~ after the date ~~of service of~~ the decision is served. The Board shall grant a request for review or rehearing for any of the following reasons materially affecting the rights of the applicant:
1. The findings of fact, conclusions of law, or decision are not supported by the evidence or are contrary to law;
 2. The applicant was deprived of a fair hearing due to irregularity in the proceedings, abuse of discretion, or misconduct by the hearing officer;
 3. Newly discovered material evidence exists that could have a bearing on the decision and that, ~~with reasonable diligence~~, could not have been discovered and produced earlier using the effort expected from a reasonable person under the circumstances; or
 4. Error in admission or rejection of evidence or other errors of law occurring at the hearing.
- B. ~~The applicant shall request~~ the applicant shall request ~~must specify in the request~~ under subsection (A) the grounds for a review or rehearing and ~~must~~ provide reasonable evidence that the applicant's rights were materially affected.
- C. ~~The Board may grant a rehearing or review for any of the reasons in subsection (A).~~ The Board or its hearing officer may take additional testimony; amend or make new findings of fact and conclusions of law; and affirm, modify, or reverse the original decision.
- D. A rehearing or review, if granted, ~~must shall~~ be a rehearing or review only of the issue upon which the decision is found erroneous. ~~An~~ The Board shall specify in the order granting or denying a rehearing or review, must specify the basis for the order.

R13-11-113. ~~Fees~~ Fee

- A. ~~DPS shall collect proper fees for good cause exceptions from all applicants and shall transmit the fees to the state Treasurer. A fee of \$7.00 is established for good cause exceptions and central registry exceptions. When an individual applies to DPS for a fingerprint clearance card, the individual pays a fee to DPS that includes an amount for the fingerprint clearance card and, if necessary, a good cause or central registry exception determination.~~
- B. ~~Fees shall be paid in addition to and in the same payment as fees paid to DPS for a fingerprint clearance card application. The portion of the fee paid under subsection (A) that is for a good cause or central registry exception determination is \$4.~~



R13-11-114. Interim Work Permit

- A.** Under A.R.S. § 41-619.55(I), the Board may grant an interim work permit to an applicant for a good cause exception if the applicant for a good cause exception:
 - 1. Is required by newly effective legislation to obtain a fingerprint clearance card for the applicant's job;
 - 2. Held the job at the time the new legislation went into effect; and
 - 3. Was not previously required to have a fingerprint clearance card for the job.
- B.** The employer of an applicant who meets the standards under subsection (A) shall submit a letter of reference under R13-11-104(A)(3)(b) with the applicant's good cause exception application.
- C.** The Board shall not grant an interim work permit to an applicant who is precluded from receiving a fingerprint clearance card under A.R.S. § 41-1758.03(B) or 41-1758.07(B).
- D.** An interim work permit ceases to have effect when the Board makes a final decision on the applicant's good cause exception application.



NOTICES OF RULEMAKING DOCKET OPENING

This section of the *Arizona Administrative Register* contains Notices of Rulemaking Docket Opening.

A docket opening is the first part of the administrative rulemaking process. It is an “announcement” that the agency intends to work on its rules.

When an agency opens a rulemaking docket to consider rulemaking, the Administrative Procedure Act (APA) requires the publication of the Notice of Rulemaking Docket Opening.

Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. Many times an agency may file the Notice of Rulemaking Docket Opening with the Notice of Proposed Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these notices. Questions about the interpretation of this information should be directed to the agency contact person listed in item #4 of this notice.

**NOTICE OF RULEMAKING DOCKET OPENING
BOARD OF EXAMINERS OF NURSING CARE INSTITUTION ADMINISTRATORS AND
ASSISTED LIVING FACILITY MANAGERS**

[R20-171]

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 33, Board of Examiners of Nursing Care Institution Administrators and Assisted Living Facility Managers
Article and its heading: 1, General
 5, Continuing Education
 7, Assisted Living Facility Caregiver Training Programs
Section numbers: R4-33-105, R4-33-501, R4-33-503, R4-33-504, and R4-33-707
(Additional Sections made be made, amended, or repealed as needed)

2. **The subject matter of the proposed rule:**
 Under Laws 2020, Chapter 73, the legislature added A.R.S. § 36-446.16 authorizing individuals to obtain training for employment as an assisted living facility caregiver through on-the-job training. The legislation required the Board to prescribe standards for the on-the-job training. This rulemaking prescribes the required standards.
 R4-33-105 and R4-33-504 are repealed to comply with paragraph 2 of Executive Order 2020-02. An exemption from Executive Order 2020-02 was provided by Trista Guzman Glover in an e-mail dated August 31, 2020.

3. **A citation to all published notices relating to the proceeding:**
 None

4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
 Name: Allen Imig, Executive Director
 Address: Board of Examiners of Nursing Care Administrators and Assisted Living Facility Managers
 1740 W. Adams St., Suite 2490
 Phoenix, AZ 85007
 Telephone: (602) 364-2273
 Fax: (602) 542-8316
 E-mail: allen.imig@aznciaboard.us

5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
 The Board will accept comments during business hours at the address listed in item 4. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.

6. **A timetable for agency decisions or other action on the proceeding, if known:**
 To be determined



NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF PUBLIC SAFETY
CRIMINAL IDENTIFICATION SECTION

[R20-168]

- 1. Title and its heading: 13, Public Safety
Chapter and its heading: 1, Department of Public Safety - Criminal Identification Section
Article and its heading: 1, Criminal History Records
2, ACJIS Network
Exhibit A
Exhibit B
Section numbers: R13-1-101, R13-1-102, R13-1-103, R13-1-108, R13-1-203, Exhibit A, Exhibit B

2. The subject matter of the proposed rule:
This is a renewal of Docket Openings 24 A.A.R. 2866, October 12, 2018 and 25 A.A.R. 3079, October 18, 2019.
This rulemaking is to reduce or ameliorate a regulatory burden while achieving the same regulatory objective.
R13-1-101 requires definition updates for AZAFIS image scanner, AZAFIS livescan, date of arrest, date of birth and NLETS to conform to current terminology and business practices.
R13-1-102 requires updates to include additional submission documentation that includes the date of death and the medical examiner's county.
R13-1-103 requires the removal of the amend selection from Paragraph C in the prosecutor's instructions.
R13-1-108 requires an update to increase the number of days needed to complete the background for challenge entries.
R13-1-203 requires updates to add Levels E, F and G for the occupations of ten-print fingerprint technician, users of the Arizona Disposition Reporting System, and latent fingerprint examiners.
Exhibits A and B require an update to the date format to reflect current electronic data entry requirements.
The Department was granted an exception to the rulemaking moratorium contained in Executive Order 2018-02 in an e-mail from Mr. Timothy Roemer, Policy Advisor to the Governor's Office dated September 18, 2018.

3. A citation to all published notices relating to the proceeding:
There are no other published notices regarding this rulemaking.

4. Name and address of agency personnel with whom persons may communicate regarding the rule:
Name: Melanie Veilleux, Manager, Criminal Justice Services Bureau
Address: Department of Public Safety
POB 6638 Mail drop 3230
Phoenix, AZ 85005-6638
Telephone: (602) 223-5097
E-mail: mveilleux@azdps.gov
Website: www.azdps.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:
The Department will accept comments during business hours at the address listed in Item 4 until the close of record. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.

6. A timetable for agency decisions or other action on the proceeding, if known:
To be determined.



GOVERNOR EXECUTIVE ORDER

Executive Order 2020-02 is being reproduced in each issue of the *Administrative Register* as a notice to the public regarding state agencies' rulemaking activities.

This order has been reproduced in its entirety as submitted.

EXECUTIVE ORDER 2020-02

Moratorium on Rulemaking to Promote Job Creation and Economic Development; Implementation of Licensing Reform Policies

[M20-01]

WHEREAS, government regulations should be as limited as possible; and

WHEREAS, burdensome regulations inhibit job growth and economic development; and

WHEREAS, protecting the public health, peace and safety of the residents of Arizona is a top priority of state government; and

WHEREAS, in 2015, the State of Arizona implemented a moratorium on all new regulatory rulemaking by State agencies through executive order, and renewed the moratorium in 2016, 2017, 2018 and 2019; and

WHEREAS, the State of Arizona eliminated or improved 637 burdensome regulations in 2019 and a total of 2,289 needless regulations have been eliminated or improved since 2015; and

WHEREAS, estimates show these eliminations saved job creators \$53.9 million in operating costs in 2019 and a total of over \$134.3 million in savings since 2015; and

WHEREAS, in 2019, for every one new necessary rule added to the Administrative Code, five have been repealed or improved; and

WHEREAS, approximately 354,000 private sector jobs have been added to Arizona since January 2015; and

WHEREAS, all government agencies of the State of Arizona should continue to promote customer-service-oriented principles for the people that it serves; and

WHEREAS, each State agency shall continue to conduct a critical and comprehensive review of its administrative rules and take action to reduce the regulatory burden, administrative delay and legal uncertainty associated with government regulation while protecting the health and safety of residents; and

WHEREAS, each State agency should continue to evaluate its administrative rules using any available and reliable data and performance metrics; and

WHEREAS, Article 5, Section 4 of the Arizona Constitution and Title 41, Chapter 1, Article 1 of the Arizona Revised Statutes vests the executive power of the State of Arizona in the Governor.

NOW, THEREFORE, I, Douglas A. Ducey, by virtue of the authority vested in me by the Constitution and laws of the State of Arizona hereby declare the following:

1. A State agency subject to this Order shall not conduct any rulemaking, whether informal or formal, without the prior written approval of the Office of the Governor. In seeking approval, a State agency shall address one or more of the following as justifications for the rulemaking:
 - a. To fulfill an objective related to job creation, economic development or economic expansion in this State.
 - b. To reduce or ameliorate a regulatory burden while achieving the same regulatory objective.
 - c. To prevent a significant threat to the public health, peace or safety.
 - d. To avoid violating a court order or federal law that would result in sanctions by a federal court for failure to conduct the rulemaking action.
 - e. To comply with a federal statutory or regulatory requirement if such compliance is related to a condition for the receipt of federal funds or participation in any federal program.
 - f. To comply with a state statutory requirement.
 - g. To fulfill an obligation related to fees or any other action necessary to implement the State budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
 - h. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
 - i. To address matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within an agency or wasteful, fraudulent or abusive activities perpetrated against an agency.
 - j. To eliminate rules which are antiquated, redundant or otherwise no longer necessary for the operation of state government.
2. A State agency that submits a rulemaking request pursuant to this Order shall recommend for consideration by the Office of the Governor at least *three* existing rules to eliminate for every *one* additional rule requested by the agency.



3. A State agency that submits a rulemaking exemption request pursuant to this Order shall include with their request an analysis of how small businesses may be impacted by any newly proposed rules or rule modifications.
4. A State agency subject to this Order shall not publicize any directives, policy statements, documents or forms on its website unless such are explicitly authorized by the Arizona Revised Statutes or Arizona Administrative Code. Any material that is not specifically authorized must be removed immediately.
5. A State agency that issues occupational or professional licenses shall prominently post on the agency’s website landing page all current state policies that ease licensing burdens and the exact steps applicants must complete to receive their license using these policies. State agencies should provide information that applies to all applicants, but have a designated area on such landing page that includes licensing information specifically for military spouses, active duty service members and veterans and all policies that make it easier for these applicant groups to receive their license. Examples of reduced licensing burdens include universal recognition of out-of-state licenses, availability of temporary licenses, fee waivers, exam exemptions and/or allowing an applicant to substitute military education or experience for licensing requirements. A landing page feature may link to an internal agency web page with more information, if necessary. All information must be easy to locate and written in clear and concise language.
6. All state agencies that are required to issue occupational or professional licenses by universal recognition (established by section 32-4302, Arizona Revised Statutes) must track all applications received for this license type. Before any agency denies a professional or occupational license applied for under section 32-4302, Arizona Revised Statutes, the agency shall submit the application and justification for denial to the Office of the Governor for review before any official action is taken by the agency. The Office of the Governor should be notified of any required timeframes, whether in statute or rule, for approval or denial of the license by the agency.
7. For the purposes of this Order, the term “State agencies” includes, without limitation, all executive departments, agencies, offices, and all state boards and commissions, except for: (a) any State agency that is headed by a single elected State official; (b) the Corporation Commission; and (c) any board or commission established by ballot measure during or after the November 1998 general election. Those state agencies, boards and commissions excluded from this Order are strongly encouraged to voluntarily comply with this Order in the context of their own rulemaking processes.
8. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a State agency. For the purposes of this Order, “person,” “rule” and “rulemaking” have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.

IN WITNESS THEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this 13th day of January in the Year Two Thousand and Twenty and of the Independence of the United States of America the Year Two Hundred and Forty-Fourth.

ATTEST:
Katie Hobbs
SECRETARY OF STATE



REGISTER INDEXES

The *Register* is published by volume in a calendar year (See “General Information” in the front of each issue for more information).

Abbreviations for rulemaking activity in this Index include:

PROPOSED RULEMAKING

PN = Proposed new Section
 PM = Proposed amended Section
 PR = Proposed repealed Section
 P# = Proposed renumbered Section

SUPPLEMENTAL PROPOSED RULEMAKING

SPN = Supplemental proposed new Section
 SPM = Supplemental proposed amended Section
 SPR = Supplemental proposed repealed Section
 SP# = Supplemental proposed renumbered Section

FINAL RULEMAKING

FN = Final new Section
 FM = Final amended Section
 FR = Final repealed Section
 F# = Final renumbered Section

SUMMARY RULEMAKING

PROPOSED SUMMARY

PSMN = Proposed Summary new Section
 PSMM = Proposed Summary amended Section
 PSMR = Proposed Summary repealed Section
 PSM# = Proposed Summary renumbered Section

FINAL SUMMARY

FSMN = Final Summary new Section
 FSMM = Final Summary amended Section
 FSMR = Final Summary repealed Section
 FSM# = Final Summary renumbered Section

EXPEDITED RULEMAKING

PROPOSED EXPEDITED

PEN = Proposed Expedited new Section
 PEM = Proposed Expedited amended Section
 PER = Proposed Expedited repealed Section
 PE# = Proposed Expedited renumbered Section

SUPPLEMENTAL EXPEDITED

SPEN = Supplemental Proposed Expedited new Section
 SPEM = Supplemental Proposed Expedited amended Section
 SPER = Supplemental Proposed Expedited repealed Section
 SPE# = Supplemental Proposed Expedited renumbered Section

FINAL EXPEDITED

FEN = Final Expedited new Section
 FEM = Final Expedited amended Section
 FER = Final Expedited repealed Section
 FE# = Final Expedited renumbered Section

EXEMPT RULEMAKING

EXEMPT

XN = Exempt new Section
 XM = Exempt amended Section
 XR = Exempt repealed Section
 X# = Exempt renumbered Section

EXEMPT PROPOSED

PXN = Proposed Exempt new Section
 PXM = Proposed Exempt amended Section
 PXR = Proposed Exempt repealed Section
 PX# = Proposed Exempt renumbered Section

EXEMPT SUPPLEMENTAL PROPOSED

SPXN = Supplemental Proposed Exempt new Section
 SPXR = Supplemental Proposed Exempt repealed Section
 SPXM = Supplemental Proposed Exempt amended Section
 SPX# = Supplemental Proposed Exempt renumbered Section

FINAL EXEMPT RULEMAKING

FXN = Final Exempt new Section
 FXM = Final Exempt amended Section
 FXR = Final Exempt repealed Section
 FX# = Final Exempt renumbered Section

EMERGENCY RULEMAKING

EN = Emergency new Section
 EM = Emergency amended Section
 ER = Emergency repealed Section
 E# = Emergency renumbered Section
 EEXP = Emergency expired

RECODIFICATION OF RULES

RC = Recodified

REJECTION OF RULES

RJ = Rejected by the Attorney General

TERMINATION OF RULES

TN = Terminated proposed new Sections
 TM = Terminated proposed amended Section
 TR = Terminated proposed repealed Section
 T# = Terminated proposed renumbered Section

RULE EXPIRATIONS

EXP = Rules have expired

See also “emergency expired” under emergency rulemaking

CORRECTIONS

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R9-10-708.	PEM-49; FEM-551	R9-17-403.	XM-1905		
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		R9-17-404.03.	XN-734		
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R9-16-302.	PER-148; PEN-148; FER-835; FEN-835	R9-16-402.	PM-1171; FM-1875	R9-7-1907.	PEM-431; FEM-1067
R9-16-303.	PER-148; PEN-148; FER-835; FEN-835	R9-16-405.	PM-1171; FM-1875	R9-7-1923.	PEM-431; FEM-1067
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R9-16-319.	PER-148; PEN-148; FER-835; FEN-835	R9-7-102.	PEM-431; FEM-1067	R9-19-315.	PEM-891; FEM-1534
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R9-16-336.	PER-148; PEN-148; FER-835; FEN-835			R12-5-212.	PM-1305
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RULES EFFECTIVE DATES CALENDAR

A.R.S. § 41-1032(A), as amended by Laws 2002, Ch. 334, § 8 (effective August 22, 2002), states that a rule generally becomes effective 60 days after the day it is filed with the Secretary of State's Office. The following table lists filing dates and effective dates for rules that follow this provision. Please also check the rulemaking Preamble for effective dates.

January		February		March		April		May		June	
Date Filed	Effective Date										
1/1	3/1	2/1	4/1	3/1	4/30	4/1	5/31	5/1	6/30	6/1	7/31
1/2	3/2	2/2	4/2	3/2	5/1	4/2	6/1	5/2	7/1	6/2	8/1
1/3	3/3	2/3	4/3	3/3	5/2	4/3	6/2	5/3	7/2	6/3	8/2
1/4	3/4	2/4	4/4	3/4	5/3	4/4	6/3	5/4	7/3	6/4	8/3
1/5	3/5	2/5	4/5	3/5	5/4	4/5	6/4	5/5	7/4	6/5	8/4
1/6	3/6	2/6	4/6	3/6	5/5	4/6	6/5	5/6	7/5	6/6	8/5
1/7	3/7	2/7	4/7	3/7	5/6	4/7	6/6	5/7	7/6	6/7	8/6
1/8	3/8	2/8	4/8	3/8	5/7	4/8	6/7	5/8	7/7	6/8	8/7
1/9	3/9	2/9	4/9	3/9	5/8	4/9	6/8	5/9	7/8	6/9	8/8
1/10	3/10	2/10	4/10	3/10	5/9	4/10	6/9	5/10	7/9	6/10	8/9
1/11	3/11	2/11	4/11	3/11	5/10	4/11	6/10	5/11	7/10	6/11	8/10
1/12	3/12	2/12	4/12	3/12	5/11	4/12	6/11	5/12	7/11	6/12	8/11
1/13	3/13	2/13	4/13	3/13	5/12	4/13	6/12	5/13	7/12	6/13	8/12
1/14	3/14	2/14	4/14	3/14	5/13	4/14	6/13	5/14	7/13	6/14	8/13
1/15	3/15	2/15	4/15	3/15	5/14	4/15	6/14	5/15	7/14	6/15	8/14
1/16	3/16	2/16	4/16	3/16	5/15	4/16	6/15	5/16	7/15	6/16	8/15
1/17	3/17	2/17	4/17	3/17	5/16	4/17	6/16	5/17	7/16	6/17	8/16
1/18	3/18	2/18	4/18	3/18	5/17	4/18	6/17	5/18	7/17	6/18	8/17
1/19	3/19	2/19	4/19	3/19	5/18	4/19	6/18	5/19	7/18	6/19	8/18
1/20	3/20	2/20	4/20	3/20	5/19	4/20	6/19	5/20	7/19	6/20	8/19
1/21	3/21	2/21	4/21	3/21	5/20	4/21	6/20	5/21	7/20	6/21	8/20
1/22	3/22	2/22	4/22	3/22	5/21	4/22	6/21	5/22	7/21	6/22	8/21
1/23	3/23	2/23	4/23	3/23	5/22	4/23	6/22	5/23	7/22	6/23	8/22
1/24	3/24	2/24	4/24	3/24	5/23	4/24	6/23	5/24	7/23	6/24	8/23
1/25	3/25	2/25	4/25	3/25	5/24	4/25	6/24	5/25	7/24	6/25	8/24
1/26	3/26	2/26	4/26	3/26	5/25	4/26	6/25	5/26	7/25	6/26	8/25
1/27	3/27	2/27	4/27	3/27	5/26	4/27	6/26	5/27	7/26	6/27	8/26
1/28	3/28	2/28	4/28	3/28	5/27	4/28	6/27	5/28	7/27	6/28	8/27
1/29	3/29	2/29	4/29	3/29	5/28	4/29	6/28	5/29	7/28	6/29	8/28
1/30	3/30			3/30	5/29	4/30	6/29	5/30	7/29	6/30	8/29
1/31	3/31			3/31	5/30			5/31	7/30		



July		August		September		October		November		December	
Date Filed	Effective Date										
7/1	8/30	8/1	9/30	9/1	10/31	10/1	11/30	11/1	12/31	12/1	1/30/21
7/2	8/31	8/2	10/1	9/2	11/1	10/2	12/1	11/2	1/1/21	12/2	1/31/21
7/3	9/1	8/3	10/2	9/3	11/2	10/3	12/2	11/3	1/2/21	12/3	2/1/21
7/4	9/2	8/4	10/3	9/4	11/3	10/4	12/3	11/4	1/3/21	12/4	2/2/21
7/5	9/3	8/5	10/4	9/5	11/4	10/5	12/4	11/5	1/4/21	12/5	2/3/21
7/6	9/4	8/6	10/5	9/6	11/5	10/6	12/5	11/6	1/5/21	12/6	2/4/21
7/7	9/5	8/7	10/6	9/7	11/6	10/7	12/6	11/7	1/6/21	12/7	2/5/21
7/8	9/6	8/8	10/7	9/8	11/7	10/8	12/7	11/8	1/7/21	12/8	2/6/21
7/9	9/7	8/9	10/8	9/9	11/8	10/9	12/8	11/9	1/8/21	12/9	2/7/21
7/10	9/8	8/10	10/9	9/10	11/9	10/10	12/9	11/10	1/9/21	12/10	2/8/21
7/11	9/9	8/11	10/10	9/11	11/10	10/11	12/10	11/11	1/10/21	12/11	2/9/21
7/12	9/10	8/12	10/11	9/12	11/11	10/12	12/11	11/12	1/11/21	12/12	2/10/21
7/13	9/11	8/13	10/12	9/13	11/12	10/13	12/12	11/13	1/12/21	12/13	2/11/21
7/14	9/12	8/14	10/13	9/14	11/13	10/14	12/13	11/14	1/13/21	12/14	2/12/21
7/15	9/13	8/15	10/14	9/15	11/14	10/15	12/14	11/15	1/14/21	12/15	2/13/21
7/16	9/14	8/16	10/15	9/16	11/15	10/16	12/15	11/16	1/15/21	12/16	2/14/21
7/17	9/15	8/17	10/16	9/17	11/16	10/17	12/16	11/17	1/16/21	12/17	2/15/21
7/18	9/16	8/18	10/17	9/18	11/17	10/18	12/17	11/18	1/17/21	12/18	2/16/21
7/19	9/17	8/19	10/18	9/19	11/18	10/19	12/18	11/19	1/18/21	12/19	2/17/21
7/20	9/18	8/20	10/19	9/20	11/19	10/20	12/19	11/20	1/19/21	12/20	2/18/21
7/21	9/19	8/21	10/20	9/21	11/20	10/21	12/20	11/21	1/20/21	12/21	2/19/21
7/22	9/20	8/22	10/21	9/22	11/21	10/22	12/21	11/22	1/21/21	12/22	2/20/21
7/23	9/21	8/23	10/22	9/23	11/22	10/23	12/22	11/23	1/22/21	12/23	2/21/21
7/24	9/22	8/24	10/23	9/24	11/23	10/24	12/23	11/24	1/23/21	12/24	2/22/21
7/25	9/23	8/25	10/24	9/25	11/24	10/25	12/24	11/25	1/24/21	12/25	2/23/21
7/26	9/24	8/26	10/25	9/26	11/25	10/26	12/25	11/26	1/25/21	12/26	2/24/21
7/27	9/25	8/27	10/26	9/27	11/26	10/27	12/26	11/27	1/26/21	12/27	2/25/21
7/28	9/26	8/28	10/27	9/28	11/27	10/28	12/27	11/28	1/27/21	12/28	2/26/21
7/29	9/27	8/29	10/28	9/29	11/28	10/29	12/28	11/29	1/28/21	12/29	2/27/21
7/30	9/28	8/30	10/29	9/30	11/29	10/30	12/29	11/30	1/29/21	12/30	2/28/21
7/31	9/29	8/31	10/30			10/31	12/30			12/31	3/1/21



REGISTER PUBLISHING DEADLINES

The Secretary of State’s Office publishes the Register weekly. There is a three-week turnaround period between a deadline date and the publication date of the Register. The weekly deadline dates and issue dates are shown below. Council meetings and Register deadlines do not correlate. Also listed are the earliest dates on which an oral proceeding can be held on proposed rulemakings or proposed delegation agreements following publication of the notice in the Register.

Deadline Date (paper only) Friday, 5:00 p.m.	Register Publication Date	Oral Proceeding may be scheduled on or after
July 3, 2020	July 24, 2020	August 24, 2020
July 10, 2020	July 31, 2020	August 31, 2020
July 17, 2020	August 7, 2020	September 8, 2020
July 24, 2020	August 14, 2020	September 14, 2020
July 31, 2020	August 21, 2020	September 21, 2020
August 7, 2020	August 28, 2020	September 28, 2020
August 14, 2020	September 4, 2020	October 5, 2020
August 21, 2020	September 11, 2020	October 13, 2020
August 28, 2020	September 18, 2020	October 19, 2020
September 4, 2020	September 25, 2020	October 26, 2020
September 11, 2020	October 2, 2020	November 2, 2020
September 18, 2020	October 9, 2020	November 9, 2020
September 25, 2020	October 16, 2020	November 16, 2020
October 2, 2020	October 23, 2020	November 23, 2020
October 9, 2020	October 30, 2020	November 30, 2020
October 16, 2020	November 6, 2020	December 7, 2020
October 23, 2020	November 13, 2020	December 14, 2020
October 30, 2020	November 20, 2020	December 21, 2020
November 6, 2020	November 27, 2020	December 28, 2020
November 13, 2020	December 4, 2020	January 4, 2021
November 20, 2020	December 11, 2020	January 11, 2021
November 27, 2020	December 18, 2020	January 19, 2021
December 4, 2020	December 25, 2020	January 25, 2021
December 11, 2020	January 1, 2021	February 1, 2021
December 18, 2020	January 8, 2021	February 8, 2021
December 24, 2020	January 15, 2021	February 16, 2021
December 31, 2021	January 22, 2021	February 22, 2021
January 8, 2021	January 29, 2021	March 1, 2021
January 15, 2021	February 5, 2021	March 8, 2021
January 22, 2021	February 12, 2021	March 15, 2021



GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES

The following deadlines apply to all Five-Year Review Reports and any adopted rule submitted to the Governor’s Regulatory Review Council. Council meetings and Register deadlines do not correlate. We publish these deadlines under A.R.S. § 41-1013(B)(15).

All rules and Five-Year Review Reports are due in the Council office by 5 p.m. of the deadline date. The Council’s office is located at 100 N. 15th Ave., Suite 305, Phoenix, AZ 85007. For more information, call (602) 542-2058 or visit <http://grcc.az.gov>.

GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES FOR 2020/2021 (MEETING DATES ARE SUBJECT TO CHANGE)

[M19-118/M20-42]

DEADLINE FOR PLACEMENT ON AGENDA*	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
Tuesday August 18, 2020	Tuesday September 22, 2020	Tuesday September 29, 2020	Tuesday October 6, 2020
Tuesday September 22, 2020	Tuesday October 20, 2020	Tuesday October 27, 2020	Tuesday November 3, 2020
Tuesday October 20, 2020	Tuesday November 17, 2020	Tuesday November 24, 2020	Tuesday December 1, 2020
Tuesday November 17, 2020	Tuesday December 22, 2020	Tuesday December 29, 2020	Tuesday January 5, 2021
Tuesday December 29, 2020	Tuesday January 19, 2021	Tuesday January 26, 2021	Tuesday February 2, 2021
Tuesday January 19, 2021	Tuesday February 16, 2021	Tuesday February 23, 2021	Tuesday March 2, 2021
Tuesday February 16, 2021	Tuesday March 23, 2021	Tuesday March 30, 2021	Tuesday April 6, 2021
Tuesday March 23, 2021	Tuesday April 20, 2021	Tuesday April 27, 2021	Tuesday May 4, 2021
Tuesday April 20, 2021	Tuesday May 18, 2021	Wednesday May 26, 2021	Tuesday June 1, 2021
Tuesday May 18, 2021	Tuesday June 22, 2021	Tuesday June 29, 2021	Wednesday July 7, 2021
Tuesday June 22, 2021	Tuesday July 20, 2021	Tuesday July 27, 2021	Tuesday August 3, 2021
Tuesday July 20, 2021	Tuesday August 24, 2021	Tuesday August 31, 2021	Wednesday September 8, 2021
Tuesday August 24, 2021	Tuesday September 21, 2021	Tuesday September 28, 2021	Tuesday October 5, 2021
Tuesday September 21, 2021	Tuesday October 19, 2021	Tuesday October 26, 2021	Tuesday November 2, 2021
Tuesday October 19, 2021	Tuesday November 23, 2021	Tuesday November 30, 2021	Tuesday December 7, 2021
Tuesday November 23, 2021	Tuesday December 21, 2021	Tuesday December 28, 2021	Tuesday January 4, 2022
Tuesday December 21, 2021	Tuesday January 18, 2022	Tuesday January 25, 2022	Tuesday February 1, 2022

* Materials must be submitted by 5 PM on dates listed as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.