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Arizona Administrative REGISTER

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Arizona Administrative Register

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From the Publisher

ABOUT THIS PUBLICATION

The authenticated pdf of the *Administrative Register* (A.A.R.) posted on the Office of the Secretary of State's website is the official published version for rulemaking activity in the state of Arizona. The *Register* is published weekly by issue number, every Friday by the Administrative Rules Division.

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

The *Register* contains notices of docket openings, proposed, final, emergency, expedited, exempt, and terminated rules as defined in Arizona Revised Statutes known as the Arizona Administrative Procedure Act (APA), and A.R.S. Title 41, Chapter 6, Articles 1 through 10. Other "notice only" filings are published in the *Register* which includes Informal Public Meetings on an Open Rulemaking Docket, Formal Rulemaking Advisory Committees, Public Information, Oral Proceedings, Public Hearings, Public Meetings, Agency Guidance Documents, Substantive Policy Statements, Proposed Delegation Agreements, Final Delegation Agreements, and Agency Ombudsman.

ABOUT AMENDMENTS TO RULES

Rulemaking is defined in the APA. Rules can be made (all new text); amended (changed) or repealed (removed) as codified in the *Arizona Administrative Code*; or renumbered (moving rules to a different Section number). New rules published in the *Register*, whether proposed or made as a final rule, are underlined; repealed rules (text being removed), is stricken.

ABOUT THE TABLE OF CONTENTS

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.

ABOUT FILE NUMBERS

Notices filed in the Division are assigned a file number. This number is enclosed in brackets and located at the top right of the published documents in the *Register*. Original filed notices are available in pdf for free. For a copy, contact our Division with the file number.

ABOUT THE ADMINISTRATIVE CODE

The *Arizona Administrative Code* (A.A.C.) contains codified text of rules. When published, the underling and striking of text in notices as published in the *Register* are removed. The codified rules have either been approved by the Governor's Regulatory Review Council or Attorney General as prescribed under the APA. The *Code* also contains rules exempt from the rulemaking process, and emergency rules. The authenticated pdf of *Code* Chapters posted on the Office of the Secretary of State's website are the official published version of rules in the A.A.C. The *Code* is posted online for free.

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ADMINISTRATIVE CODE
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available online at www.azsos.gov.

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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The Office of the Secretary of State is
an equal opportunity employer.

Participate in Rulemaking

Review Published Notices

Those interested in participating in the rulemaking process should review notices published in the *Arizona Administrative Register*.

The Preamble at the beginning of a notice contains information about the rulemaking and provides agency justification and regulatory intent. Agency contact information is published in the Preamble for those interested in participating in the rulemaking process.

The Preamble 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.

Agency Contact Lists

Many agencies maintain stakeholder lists to contact those interested in proposed changes to rules. Check an agency's website and its newsletters for information about notices, oral proceedings, 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. Refer to A.R.S. § 41-1033 for more information.

Attend a Public Meeting

Stakeholders can attend a public meeting, known as an oral proceeding, being conducted by the agency on a Notice of Proposed Rulemaking. A proceeding may be listed in the Preamble of a Notice of Proposed Rulemaking or an agency may inform the public of the meeting in a Notice of Oral Proceeding. Attend the meeting and be prepared to speak and comment.

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

Refer to information in the Preamble.

Write the Agency

Put your comments in writing and send them 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, before the rules are filed with the Secretary of State.

THE REGULAR RULEMAKING PROCESS

Authority

An agency is given the authority to promulgate a rule under the APA, statute passed by the Legislature, or ballot proposition, which is passed by the voters.

An agency may be given certain exemptions to the APA or portions thereof.

Information about the exemptions are provided in the Preamble of the rulemaking.

Permission to Proceed

Before moving forward with any notice, an agency first receives permission from the governor's office to proceed with a rulemaking.

The governor's office provides the agency a written response to proceed that is filed with the notice.

Stakeholder and Public Notification

The agency opens a docket. It is filed as a Notice of Rulemaking Docket Opening for publication in the *Register*.

The notice includes agency contact information along with its intentions to make, amend, repeal, or renumber, a rule and its justification to perform the rulemaking action. Often an agency will file the docket with the proposed rulemaking.

An agency may decide not to proceed and not file final rule with G.R.R.C. within one year after proposed rule is published. A.R.S. § 41-1021(A)(4)

Agency Proposes Rules, Public Reviews Proposal

The agency files a Notice of Proposed Rulemaking and the notice is published in the *Register*.

The public is given the opportunity to comment on the proposed rules. The agency opens the comment period to last at least 30 days. Written comments are accepted informally.

The notice *may* contain information about oral proceedings.

A proceeding is held no sooner than 30 days after the notice is published.

If no proceeding is scheduled, the agency provides information on how a person may request to speak to the agency in person at an oral proceeding.

Oral Proceeding

A person requests an agency to conduct an oral proceeding based on the information provided in its Notice of Proposed Rulemaking.

The agency prepares a Notice of Oral Proceeding on Proposed Rulemaking, schedules one or more proceeding, and files the notice for publication in the *Register*.

When it occurs, an agency extends the public comment period.

Close of Record

After evaluating public comments and conducting an internal review of the rule, an agency:

1. Determines whether the rulemaking requires a substantial change. When an agency decides to make substantial changes to a proposed rule, it continues the process as outlined under the APA. The agency obtains permission to proceed as stated under #2 of this timeline. The agency prepares a Notice of Supplemental Proposed Rulemaking with the changes and files it for publication in the *Register*. Comments are once again solicited and reviewed by the agency.
2. Prepares and submits for review a Notice of Final Rulemaking for review and approval by G.R.R.C. or Attorney General. The Notice of Final Rulemaking must be submitted for review within 120 days after the close of record; or
3. Terminates the rulemaking. The agency may decide to terminate its docket and files a notice for publication in the *Register* notifying stakeholders of the termination. Refer to A.R.S. § 41-1021(A)(2).

Time Frame for Approval or Disapproval of the Notice

G.R.R.C. has 90 days to review and approve or return the rule package, in whole or in part; A.G. has 60 days.

The Approved Rule is Published in *Register* and Codified in the Code

After approval by G.R.R.C. or A.G., the rule becomes effective 60 days after filing the notice with the Office of the Secretary of State, unless otherwise indicated in the Preamble of the notice.

The Notice of Final Rulemaking is published in the *Register* and codified in the *Arizona Administrative Code*.

Definitions and Acronyms

Arizona Administrative Code, 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, 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 Reuters. 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.

Arizona Administrative Register
NOTICES OF PROPOSED RULEMAKING

Volume 32, Issue 26, June 26, 2026

NOTICES OF PROPOSED RULEMAKING

The Administrative Procedure Act (APA) requires an agency file a Notice of Rulemaking Docket Opening which outlines its rulemaking intentions under [A.R.S. § 41-1021](#). A docket opening and Notice of Proposed Rulemaking are often filed at the same time and published in the same *Register* issue. If they are not filed at the same time, information on where the docket opening was published is listed in the preamble of the proposed rulemaking.

An agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before scheduling any oral proceedings. Written public comments shall be accepted for at least 30 days after the published notice. Refer to A.R.S. §§ [41-1013](#), [41-1022](#) and [41-1023](#).

Questions about the notice can be answered by the person listed in item #5 of the preamble.

Refer to item #11 of the preamble for information on how to comment on this notice, the close of record to comment, and information related to oral proceedings.

NOTICE OF PROPOSED RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 22. BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

File Number: R26-91

PREAMBLE

- 1. Permission to proceed with this proposed rulemaking was granted under A.R.S. § 41-1039 by the governor on:**
April 21, 2025

2. Article, Part, or Section Affected (as applicable)	Rulemaking Action
R4-22-106	Amend
R4-22-202	Amend
R4-22-207	Amend
R4-22-208	New Section
R4-22-301	Amend
R4-22-302	Amend
R4-22-304	Amend
R4-22-401	Amend
R4-22-402	Amend
R4-22-501	Amend
R4-22-503	Amend
R4-22-504	Amend
R4-22-505	Amend
R4-22-506	Amend
R4-22-507	Amend
R4-22-508	Amend

- 3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**

Authorizing statute: A.R.S. § 32-1803(C)(1)

Implementing statute: A.R.S. § 32-1825

- 4. Citations to all related notices published in the *Register* that pertain to the current record of the proposed rule:**
Notice of Rulemaking Docket Opening: 32 A.A.R. 2336; Issue Date: July 11, 2025; Issue Number: 28; File Number: R25-155

- 5. The agency's contact person who can answer questions about the rulemaking:**

Name: Justin Bohall

Title: Executive Director

Arizona Administrative Register
NOTICES OF PROPOSED RULEMAKING

Address: 1740 W. Adams, Suite 2410
Phoenix, AZ 85007
Telephone: (480) 657-7703
Email: Justin.bohall@azdo.gov
Website: www.azdo.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:

As a result of a 5YRR approved by the Council on April 1, 2025, and a recommendation by the Arizona Auditor General (See Report 24-112), the Board is updating the Board's rules regarding continuing medical education and adding a provision regarding auditing CME reports of licensees. The Board is also correcting some internal references and making minor edits.

7. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to 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:

Not applicable

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

The rulemaking will impose minimal costs on licensees who are chosen for an audit of compliance with the CME requirements. These costs include submitting required documentation of compliance to the Board.

10. The agency's contact person who can answer questions about the economic, small business and consumer impact statement:

Name: Justin Bohall
Title: Executive Director
Address: 1740 W. Adams, Suite 2410
Phoenix, AZ 85007
Telephone: (480) 657-7703
Email: Justin.bohall@azdo.gov
Website: www.azdo.gov

11. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Written comments about this proposed rulemaking will be accepted in person at the address provided under item #5, Monday through Friday from 8 a.m. to 5 p.m., except for state holidays. Comments will also be accepted via email at the email address provided under item #5. Mailed written comments shall be postmarked within 30 days of this published notice. An oral proceeding is scheduled on this proposed rulemaking.

Date: July 30, 2026
Time: 11:00 a.m.
Location: Virtually, via Google Meet Oral Proceeding for Rule Making
Thursday, July 30 - 11:00 a.m.
Time zone: America/Phoenix
Google Meet joining info
Video call link: <https://meet.google.com/tca-zwss-phi>
Or dial: (US) +1 475-277-0104 PIN: 456 354 964#
More phone numbers: <https://tel.meet/tca-zwss-phi?pin=6342965497624>
Nature: Public meeting

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12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

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:**

Osteopathic physicians are required to be licensed by the Board. However, the license is not a general permit because under A.R.S. § 32-1822 the Board is required to issue licenses based on an assessment of individual qualification. This individual assessment includes the results of a criminal records check, taking required examinations, and physical, mental, and emotional fitness for practice.

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:**

There are numerous federal laws with which a physician must comply but none is directly applicable to the subject of this rulemaking,

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:**

Not applicable

13. **A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:**

R4-22-402: Commission on Accreditation of Allied Health Education Programs' *Standards and Guidelines for the Accreditation of Educational Programs in Medical Assisting*, 2022 edition

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

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 22. BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

ARTICLE 1. GENERAL PROVISIONS

Section

R4-22-106. ~~Specialist Designation~~ Approved Specialty Boards

ARTICLE 2. LICENSING

Section

R4-22-202. Determining Qualification for Licensure

R4-22-207. Continuing Medical Education; Waiver; Extension of Time to Complete

R4-22-208. Reserve Audit of Continuing Medical Education

ARTICLE 3. DISPENSING DRUGS

Section

R4-22-301. Registration to Dispense Required

R4-22-302. Packaging and Inventory

R4-22-304. Recordkeeping and Reporting Shortages

ARTICLE 4. MEDICAL ASSISTANTS

Section

R4-22-401. Approval of Educational Programs for Medical Assistants

R4-22-402. Medical Assistants – Authorized Procedures

ARTICLE 5. OFFICE-BASED SURGERY

Section

R4-22-501. Definitions

R4-22-503. Administrative Provisions

R4-22-504. Procedure and Patient Selection

R4-22-505. Sedation Monitoring Standards

R4-22-506. Perioperative Period; Patient Discharge

R4-22-507. Emergency Drugs; Equipment and Space Used for Office-based Surgery

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R4-22-508. Emergency and Transfer Provisions

ARTICLE 1. GENERAL PROVISIONS

R4-22-106. ~~Specialist Designation~~ Approved Specialty Boards

- ~~A. The For the purpose of A.R.S. § 32-1800(21), the Board approves specialty boards recognized by the:~~
- ~~1. American Osteopathic Association (AOA) Bureau of Osteopathic Specialists and ~~the listed in the Handbook of the Bureau of Osteopathic Specialists (BOS), revised March 2013, available from the AOA at 142 E. Ontario Street, Chicago, IL 60611, 800-621-1773, or www.osteopathic.org; and~~~~
 - ~~2. American Board of Medical Specialties (ABMS) and listed in the ABMS Guide to Medical Specialties, 2013, available from the ABMS at 222 N. LaSalle Street, Suite 1500, Chicago, IL 60601, 312-436-2600, or www.abms.org.~~
- ~~B. The Board incorporates the materials listed in subsection (A) by reference. The materials include no future editions or amendments. The Board shall make the materials available at the Board office and on its web site.~~

ARTICLE 2. LICENSING

R4-22-202. Determining Qualification for Licensure

- A. To obtain a license, an applicant shall submit:
1. The application form specified in R4-22-201;
 2. The proof required under A.R.S. § 32-1822(A);
 3. A list of all Board-certified specializations, the certifying entity, and a copy of each certification or letter verifying specialization;
 4. A list of each health care facility or employer at which the applicant obtained practice experience. If the applicant has not passed an examination approved under R4-22-203 within the last seven years, the Board may obtain verification of practice experience from the health care facilities or employers listed for the last seven years;
 5. A malpractice claim or suit questionnaire for each instance of medical malpractice in which there was an award, settlement, or payment;
 6. A full set of fingerprints and the charge specified in R4-22-102(B)(C);
 7. A passport-size picture taken within the last 60 days; and
 8. ~~The application fee~~ All applicable fees required under R4-22-102(A).
- B. In addition to the materials required under subsection (A), an applicant shall have the following information submitted directly to the Board by the specified entity:
1. Professional Education Verification form or an official transcript submitted by the osteopathic college from which the applicant graduated;
 2. Verification of Postgraduate Training form submitted by each postgraduate facility or program at which the applicant trained;
 3. Verification of passing an examination approved under R4-22-203 submitted by the examining entity; and
 4. Verification of licensure form submitted by every state in which the applicant is or has been licensed as an osteopathic physician.
- C. If an applicant has established a credentials portfolio with the FCVS or AOIA, the applicant may request that the FCVS forward to the Board some or all of the materials required under subsection (B).
- D. The Board shall conduct a substantive review of the information submitted under subsections (A) and (B) and determine whether the applicant is qualified for licensure by virtue of:
1. Possessing the knowledge and skills necessary to practice medicine safely and skillfully;
 2. Demonstrating a history of professional conduct; and
 3. Possessing the physical, mental, and emotional fitness to practice medicine.
- E. If the substantive review referenced in subsection (D) does not yield sufficient information for the Board to determine whether an applicant is qualified for licensure, the Board shall request that the applicant appear before the Board for an interview.
1. The Board shall conduct ~~an application~~ the interview in the same manner as an informal hearing conducted under A.R.S. § 32-1855 and shall accord the applicant the same rights as a respondent.
 2. In conjunction with ~~an application~~ the interview, the Executive Director or Board may require that the applicant, at the applicant's expense:
 - a. Provide additional documentation,
 - b. Submit to a physical or psychological examination,
 - c. Submit to a practice assessment evaluation,
 - d. Pass an approved special purposes competency examination listed in R4-22-203(A)(3), or
 - e. Fulfill any combination of the requirements listed in subsections (E)(2)(a) through (d).
- F. If the substantive review referenced in subsection (D) reveals ~~that~~ an applicant has been subject to disciplinary action or criminal conviction, the Board shall consider the following factors to determine whether the applicant has been rehabilitated from the conduct underlying the disciplinary action or criminal conviction:
1. Nature of the disciplinary or criminal action including charges and final disposition;
 2. Whether all terms of court-ordered sentencing or Board-issued order were satisfied;
 3. Whether the disciplinary action or criminal conviction was set aside, dismissed with prejudice, or reduced;
 4. Whether a diversion program was entered and completed;
 5. Whether the circumstances, relationships, or personal attributes that caused or contributed to the underlying conduct changed;
 6. Personal and professional references attesting to rehabilitation; and

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7. Other information the Board determines demonstrates whether the applicant has been rehabilitated.

R4-22-207. Continuing Medical Education; Waiver; Extension of Time to Complete

- A. Under A.R.S. § 32-1825(B), a licensee is required to obtain 40 hours of Board-approved CME in the two years before license renewal. The Board shall approve the CME of a licensee if the CME complies with the following:
1. At least 24 hours are obtained by completing CME classified by the AOA as Category 1A;
 2. No more than 16 hours are obtained by completing CME:
 - a. ~~classified~~ Classified as ~~American Medical Association~~ AMA Category 1 ~~approved by an organization accredited by the Accreditation Council for Continuing Medical Education; ACCME-accredited CME provider, and or~~
 - b. American Academy of Family Physicians prescribed credit; and
 3. At least the number of CME hours specified under A.R.S. § 32-3248.02 address opioid-related, substance use disorder-related, or addiction-related prescribing and are obtained under subsection (A)(1) or (2).
- B. A licensee may fulfill ~~40 hours of the 40-hour~~ 40-hour CME requirement for a biennial license renewal period by:
1. Participating in CME described under subsection (A);
 2. ~~participating~~ Participating in an approved a Board-approved postgraduate training program or preceptorship ~~during that biennial license renewal period;~~
 3. Participating in developing or proctoring an examination or assessment provided by the NBOME or the NBME;
 4. Attending a Board meeting at which the licensee is not listed on the agenda as a topic of discussion;
 5. Maintaining certification with a Board-approved specialty board;
 6. Participating in either the ABMS continuing certification program or AOA Osteopathic continuous certification in the licensee's specialty area;
 7. Participating on a staff, quality of care, or utilization review committee of a hospital, health care institution, or government agency; and
 8. Serving as an outside medical consultant for the Board and completing a case review.
- C. The Board shall accept the following documentation as evidence of compliance with the CME requirement if the documentation indicates the CME was obtained within the current biennial license renewal period;
1. ~~For a CME under subsection (A)(1):~~
 - a.1. ~~The AOA~~ A printout of the licensee's CME from the AOA, AMA, or Board-approved specialty board, or;
 - b.2. A copy of the certificate of attendance from the provider of the CME showing:
 - i.a. Licensee's name,
 - ii.b. Title of the CME,
 - iii.c. Name of the provider of the CME,
 - iv.d. Category of the CME,
 - v.e. Number of hours in the CME, and
 - vi.f. Date of attendance;
 2. ~~For a CME under subsection (A)(2):~~
 - a. ~~A copy of the certificate of attendance from the provider of the CME showing the information listed in subsection (C)(1)(b); or~~
 - b. ~~A specialty board's printout showing a licensee's completion of CME.~~
 3. ~~For a CME under subsection (B), either a A~~ letter from the Director of Medical Education or a certificate of completion ~~for the from an approved~~ postgraduate training program or preceptorship;
 4. A certificate or letter from the NBOME or USMLE verifying participation in developing or proctoring an examination;
 5. A certificate from the Board verifying attendance at a Board meeting;
 6. Verification from a Board-approved specialty board of preparation for certification or recertification;
 7. A letter or report from a hospital, health care institution, or government agency verifying participation as an outside medical consultant on a staff, quality of care, or utilization review committee; or
 8. A letter from the Board verifying service as an outside medical consultant on a case review.
- D. Waiver of CME requirements. To obtain a waiver under A.R.S. § 32-1825(C) of the CME requirements, a licensee shall submit to the Board a written request that includes the following:
1. The period for which the waiver is requested,
 2. CME completed during the current license period and the documentation required under subsection (C), and
 3. Reason that a waiver is needed and the applicable documentation:
 - a. For military service. A copy of current orders or a letter on official letterhead from the licensee's commanding officer;
 - b. For absence from the United States. A copy of pages from the licensee's passport showing exit and reentry dates;
 - c. For disability. A letter from the licensee's treating physician stating the nature of the disability; or
 - d. For circumstances beyond the licensee's control:
 - i. A letter from the licensee stating the nature of the circumstances, and
 - ii. Documentation that provides evidence of the circumstances.
- E. The Board shall grant a request for waiver of CME requirements that:
1. Is based on a reason listed in subsection (D)(3),
 2. Is supported by the documentation required under subsection (D)(3),
 3. Is filed no sooner than 60 days before and no later than 30 days after the license renewal date, and
 4. Will promote the safe and professional practice of osteopathy in this state.

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- F. Extension of time to complete CME requirements. To obtain an extension of time under A.R.S. § 32-1825(C) to complete the CME requirements, a licensee shall submit to the Board a written request that includes the following:
1. Ending date of the requested extension,
 2. CME completed during the current license period and the documentation required under subsection (C),
 3. Proof the licensee is registered for additional CME sufficient to enable the licensee to complete all CME required for license renewal before the end of the requested extension, and
 4. Licensee's attestation that the CME obtained under the extension will be reported only to fulfill the current license renewal requirement and will not be reported on a subsequent license renewal application.
- G. The Board shall grant a request for an extension that:
1. Specifies an ending date no later than May 1 following the license renewal date,
 2. Includes the documentation and attestation required under subsection (F),
 3. Is submitted no sooner than 60 days before and no later than 30 days after the license renewal date, and
 4. Will promote the safe and professional practice of osteopathy in this state.

R4-22-208. ~~Reserved~~ Audit of Continuing Medical Education

- A.** As authorized under A.R.S. § 32-1825(B), the Board shall conduct an audit of a selection of licensees to verify compliance with the CME requirement specified in A.R.S. § 32-1825(B). The Board shall provide notice to those selected at the time of license renewal.
- B.** A licensee selected for audit shall submit the documentation specified under R4-22-207(C) within 10 days after receiving the notice of audit.
- C.** The Board shall review the submitted documentation to confirm whether the licensee complied with the CME requirement under R4-22-207. The Board's review may include verification the submitted documentation is authentic and accurate.
- D.** If the audit appears to indicate the licensee failed to comply with the CME requirements, the Board shall provide an opportunity for the licensee to explain the apparent failure, submit additional documentation, or complete additional CME activities.
- E.** The Board may determine a licensee's failure to comply with the CME requirements or furnishing a false statement under A.R.S. § 32-1825(B) is unprofessional conduct as defined at A.R.S. § 32-1854.

ARTICLE 3. DISPENSING DRUGS

R4-22-301. Registration to Dispense Required

- A. An osteopathic physician shall register with the Board annually if the osteopathic physician:
1. Maintains a supply of controlled substances, ~~as defined in A.R.S. § 32-1901(13)~~; prescription-only drugs, ~~as defined in A.R.S. § 32-1901(76)~~; or prescription-only devices, as defined in A.R.S. § 32-1901(75), excluding manufacturers' samples;
 2. Prescribes the items listed in subsection (A)(1) to a patient of the osteopathic physician for use outside the office of the osteopathic physician; and
 3. Obtains payment for the items listed in subsection (A)(1) at a practice location in Arizona.
- B. To register with the Board to dispense, an osteopathic physician shall:
1. Submit the form referenced in R4-22-201,
 2. Submit a copy of the osteopathic physician's current Drug Enforcement Administration certificate of registration for each location from which the osteopathic physician will dispense a controlled substance, and
 3. Pay the fee specifically authorized by A.R.S. § 32-1826(A)(H) and established at R4-22-102(A).
- C. An osteopathic physician who is registered with the Board to dispense shall renew the registration by December 31 of each year by complying with subsection (B). If an osteopathic physician submits a timely and complete application to renew a registration to dispense, the osteopathic physician may continue to dispense until the Board approves or denies the renewal application.
- D. If an osteopathic physician fails to submit a timely and complete application to renew a registration to dispense, the osteopathic physician shall immediately cease dispensing.
1. If the osteopathic physician wishes to resume dispensing, the osteopathic physician shall register with the Board by complying with subsection (B) and shall not dispense until the osteopathic physician receives notice from the Board that the registration is approved.
 2. If the osteopathic physician does not wish to resume dispensing, the osteopathic physician shall, as required by A.R.S. § 32-1871(~~F~~)(H), submit to the Board an inventory disposal form, which is available from the Board office or on its ~~web site~~ website.

R4-22-302. Packaging and Inventory

- A. An osteopathic physician shall dispense a controlled substance or prescription-only drug in a prepackaged or light-resistant container with a consumer safety cap that complies with standards specified in the official compendium, as defined at A.R.S. § 32-1901(55), and state and federal law, unless a patient or the patient's representative requests a non-safety cap.
- B. An osteopathic physician shall ensure ~~that~~ a dispensed controlled substance or prescription-only drug is labeled with the following information:
1. The name, address, and telephone number of the dispensing osteopathic physician;
 2. The date the controlled substance or prescription-only drug is dispensed;
 3. The patient's name;
 4. The name of the controlled substance or prescription-only drug, strength, dosage, form, name of manufacturer, quantity dispensed, directions for use, and any cautionary statement necessary for the safe and effective use of the controlled substance or prescription-only drug; and
 5. A beyond-use date not to exceed one year from the date of dispensing or the manufacturer's expiration date if less than one year.
- C. An osteopathic physician shall:

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1. Secure all controlled substances in a locked cabinet or room;
 2. Control access to the locked cabinet or room by a written procedure that includes, at a minimum:
 - a. Designation of the persons who have access to the locked cabinet or room, and
 - b. Procedures for recording requests for access to the locked cabinet or room;
 3. Make the written procedure required under subsection (C)(2) available on demand by the Board or its authorized representative for inspection or copying;
 4. Store prescription-only drugs so they are not accessible to patients; and
 5. Store controlled substances and prescription-only drugs not requiring refrigeration in an area where the temperature does not exceed 85° F.
- D.** An osteopathic physician shall maintain a dispensing log for all controlled substances and the prescription-only drug nalbuphine hydrochloride (Nubain) dispensed. The osteopathic physician shall ensure that the dispensing log includes the following information on a separate inventory sheet for each controlled substance or prescription-only drug:
1. Date the drug is dispensed;
 2. Patient's name;
 3. Name of controlled substance or prescription-only drug, strength, dosage, form, and name of manufacturer;
 4. Number of dosage units dispensed;
 5. Running total of each controlled substance or prescription-only drug dispensed; and
 6. Written signature of the osteopathic physician next to each entry.
- E.** An osteopathic physician may use a computer to maintain the dispensing log required under subsection (D) if the log is quickly accessible through either on-screen viewing or printing a copy.
- F.** This Section does not apply to a prepackaged manufacturer sample of a controlled substance or prescription-only drug unless otherwise provided by federal law.

R4-22-304. Recordkeeping and Reporting Shortages

- A.** An osteopathic physician who dispenses a controlled substance or prescription-only drug shall ensure that an original prescription order, as defined in A.R.S. § 32-1901(77), for the controlled substance or prescription-only drug dispensed is dated, consecutively numbered in the order in which originally dispensed, and filed separately from patient medical records. The osteopathic physician shall ensure that original prescription orders are maintained in three separate files, as follows:
1. Schedule II controlled substances, which are listed at A.R.S. § 36-2513 21 CFR, Chapter II, Part 1308.12;
 2. Schedule III, IV, and V controlled substances, which are ~~defined or~~ listed at A.R.S. §§ 36-2514 through 36-2516 21 CFR, Chapter II, Parts 1308.13 through 1308.15, and
 3. Prescription-only drugs.
- B.** An osteopathic physician shall ensure that purchase orders and invoices for all dispensed controlled substances and prescription-only drugs are maintained for three years from the date on the purchase order or invoice in three separate files as follows:
1. Schedule II controlled substances;
 2. Schedule III, IV, and V controlled substances and nalbuphine; and
 3. All other prescription-only drugs.
- C.** An osteopathic physician who discovers a theft or loss of a controlled substance or dangerous drug, as defined in ~~at~~ A.R.S. Title 36, Chapter 27, Article 2 § 13-3401, from the physician's office shall:
1. Immediately notify the local law enforcement agency,
 2. Provide the local law enforcement agency with a written report, and
 3. Send a copy of the report to the U.S. Drug Enforcement Administration and the Board within seven days of the discovery of the theft or loss.

ARTICLE 4. MEDICAL ASSISTANTS

R4-22-401. Approval of Educational Programs for Medical Assistants

- A.** For purposes of this Section, a Board-approved medical assistant training program is a program:
1. Accredited by the CAAHEP;
 2. Accredited by the ABHES;
 3. ~~Accredited by any accrediting agency recognized by the United States Department of Education; or~~
 - 4.3. Designed and offered by a licensed osteopathic physician, that meets or exceeds the standards of one of the accrediting programs listed in subsections (A)(1) through (A)(3) or (A)(2), and the licensed osteopathic physician verifies that those who complete the program have the entry level competencies referenced in R4-22-402; or
 4. That requires a participant to pass the medical assistant examination administered by a certifying organization accredited by either the National Commission for Certifying Agencies or the American National Standards Institute.
- B.** A person seeking approval of a training program for medical assistants shall submit to the Board the application required under R4-22-201 and verification that the program meets the requirements in subsection (A).

R4-22-402. Medical Assistants – Authorized Procedures

- A.** A medical assistant may, under the direct supervision of a licensed osteopathic physician, perform the medical procedures listed in the Commission on Accreditation of Allied Health Education Programs' *Standards and Guidelines for the Accreditation of Educational Programs in Medical Assisting*, revised 2008 2022. This material is incorporated by reference, does not include any later revisions, amendments or editions, is on file with the Board, and may be obtained from the Commission on Accreditation of Allied Health Education Programs, 1361 Park Street, Clearwater, FL 33756, 727-240-2350; or www.caahep.org.
- B.** Additionally, a medical assistant working under the direct supervision of a licensed osteopathic physician may:

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1. Perform physical medicine modalities, including administering whirlpool treatments, diathermy treatments, electronic galvanic stimulation treatments, ultrasound therapy, massage therapy, and traction treatments;
2. Apply Transcutaneous Nerve Stimulation units and hot and cold packs;
3. Administer small volume nebulizers;
4. Draw blood;
5. Prepare proper dosages of medication and administer the medication as directed by the physician;
6. Assist in minor surgical procedures;
7. Perform urine analyses, strep screens, and urine pregnancy tests;
8. Perform EKGs; and
9. Take vital signs.

ARTICLE 5. OFFICE-BASED SURGERY

R4-22-501. Definitions

In this Article,

“ACLS” means advanced cardiac life support performed according to certification standards of the American Heart Association.

“Auscultation” means the act of listening to sounds within the human body either directly or ~~through use of~~ using a stethoscope or other means.

“BLS” means basic life support performed according to certification standards of the American Heart Association.

“Capnography” means monitoring the concentration of exhaled carbon dioxide of a sedated patient to determine adequacy of the patient’s ventilatory function.

“Deep sedation” means a drug-induced depression of consciousness during which a patient:

- Cannot be easily aroused, but
- Responds purposefully following repeated or painful stimulation, and
- May partially lose the ability to maintain ventilatory function.

“Discharge” means a written or electronic documented termination of office-based surgery provided to a patient.

“Emergency” means an immediate threat to the life or health of a patient.

“General anesthesia” means a drug-induced loss of consciousness during which a patient:

- Can not be aroused even with painful stimulus; and
- May partially or completely lose the ability to maintain ventilatory, neuromuscular, or cardiovascular function or airway.

“Health care professional” means a registered nurse or a registered nurse practitioner, as defined in A.R.S. § 32-1601, physician assistant, as defined in A.R.S. § 32-2501, and any individual authorized to perform surgery under A.R.S. Title 32 who participates in office-based surgery.

“Informed consent” means advising a patient of the:

- Purpose for and alternatives to office-based surgery,
- Risks associated with office-based surgery, and
- Possible benefits and complications from office-based surgery.

“Malignant hyperthermia” means a life-threatening condition in an individual who has a genetic sensitivity to inhalant anesthetics and depolarizing neuromuscular blocking drugs that occurs during or after the administration of an inhalant anesthetic or depolarizing neuromuscular blocking drug.

“Minimal sedation” means a drug-induced state during which:

- A patient responds to verbal commands,
- Cognitive function and coordination may be impaired, and
- A patient’s ventilatory and cardiovascular functions are unaffected.

“Moderate sedation” means a drug-induced depression of consciousness during which:

- A patient responds to verbal commands or light tactile stimulations, and
- No interventions are required to maintain ventilatory or cardiovascular function.

“Monitor” means to assess the condition of a patient.

“Office-based surgery” means a medical procedure performed by an osteopathic physician in the physician’s office or other practice location that is not part of a licensed hospital or licensed ambulatory surgical center while using sedation.

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“PALS” means pediatric advanced life support performed according to certification standards of the American Academy of Pediatrics or the American Heart Association.

“Rescue” means to correct adverse physiologic consequences of deeper than intended level of sedation and return the patient to the intended level of sedation.

“Staff member” means an individual who:

Is not a health care professional, and

Assists with office-based surgery under the supervision of the osteopathic physician performing the office-based surgery.

“Transfer” means a physical relocation of a patient from the office or other practice location of an osteopathic physician to a licensed health care institution.

R4-22-503. Administrative Provisions

- A.** An osteopathic physician who performs office-based surgery shall:
1. Establish, document, and implement written policies and procedures that cover:
 - a. Patients’ rights,
 - b. Informed consent,
 - c. Care of patients in an emergency, and
 - d. Transfer of patients to a local accredited or licensed acute-care hospital;
 2. Ensure that a staff member who assists with or a health care professional who participates in office-based surgery:
 - a. Has sufficient education, training, and experience to perform assigned duties;
 - b. If applicable, has a current license or certification required to perform assigned duties; and
 - c. Performs only those acts that are within the scope of practice established in the staff member’s or health care professional’s governing statutes;
 3. Ensure that the office or other practice location where office-based surgery is performed has all equipment necessary for:
 - a. The osteopathic physician to perform the office-based surgery safely,
 - b. The osteopathic physician or health care professional to administer the sedation safely,
 - c. The osteopathic physician or health care professional to monitor the use of sedation, and
 - d. The osteopathic physician and health care professional administering the sedation to rescue a patient after the sedation is administered if the patient enters into a deeper state of sedation than was intended by the osteopathic physician;
 4. Ensure that a copy of the patients’ rights policy is provided to each patient before performing office-based surgery;
 5. Obtain informed consent from the patient before performing office-based surgery that:
 - a. Authorizes the office-based surgery, and
 - b. Authorizes the office-based surgery to be performed at the specific practice location; and
 6. Review all policies and procedures at least every 12 months and update as needed.
- B.** An osteopathic physician who performs office-based surgery shall comply with:
1. The local jurisdiction’s fire code;
 2. The local jurisdiction’s building codes for construction and occupancy;
 3. The ~~bio-hazardous~~ biohazardous waste and hazardous waste standards in 18 A.A.C. 13, Article 14; and
 4. The controlled substances administration, supply, and storage standards in 4 A.A.C. 23, ~~Article 5~~.

R4-22-504. Procedure and Patient Selection

- A.** An osteopathic physician shall ensure that each office-based surgery performed:
1. Can be performed safely with the equipment, staff members, and health care professionals at the osteopathic physician’s office;
 2. Is of duration and degree of complexity that allows a patient to be discharged from the osteopathic physician’s office within 24 hours;
 3. Is within the education, training, experience, skills, and licensure of the osteopathic physician; and
 4. Is within the education, training, experience, skills, and licensure of the staff members and health care professionals at the osteopathic physician’s office.
- B.** An osteopathic physician shall not perform office-based surgery if the patient:
1. Has a medical condition or other condition that indicates the procedure should not be performed in the osteopathic physician’s office, or
 2. Will require inpatient services at a hospital.

R4-22-505. Sedation Monitoring Standards

- A.** An osteopathic physician who performs office-based surgery when minimal sedation is administered to a patient shall ensure from the time sedation is administered until post-sedation monitoring begins that a quantitative method of assessing the patient’s oxygenation, such as pulse oximetry, is used.
- B.** An osteopathic physician who performs office-based surgery when moderate or deep sedation is administered to a patient shall ensure from the time sedation is administered until post-sedation monitoring begins that:
1. A quantitative method of assessing the patient’s oxygenation, such as pulse oximetry, is used;
 2. The patient’s ventilatory function is monitored by any of the following:
 - a. Direct observation,
 - b. Auscultation, or
 - c. Capnography;

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3. The patient's circulatory function is monitored by:
 - a. Having a continuously displayed electrocardiogram,
 - b. Documenting arterial blood pressure and heart rate at least every five minutes, and
 - c. Evaluating the patient's cardiovascular function by pulse plethysmography;
4. The patient's temperature is monitored if the osteopathic physician expects the patient's temperature to fluctuate; and
5. A licensed and qualified health care professional, other than the osteopathic physician performing the office-based surgery, is:
 - a. Present throughout the office-based surgery, and
 - b. Has the sole responsibility of attending to the patient.

R4-22-506. Perioperative Period; Patient Discharge

An osteopathic physician performing office-based surgery shall ensure all of the following:

1. The osteopathic physician is physically present in the room where office-based surgery is performed while the office-based surgery is performed;
2. After the office-based surgery is performed and until the patient's post-sedation monitoring is discontinued, a physician is at the osteopathic physician's office and sufficiently free of other duties to respond to an emergency;
3. If using minimal sedation, the osteopathic physician or a health care professional certified in ACLS, PALS, or BLS is at the osteopathic physician's office and sufficiently free of other duties to respond to an emergency until the patient is discharged;
4. If using moderate or deep sedation, the osteopathic physician or a health care professional certified in ACLS or PALS is at the osteopathic physician's office and sufficiently free of other duties to respond to an emergency until the patient is discharged;
5. A discharge is documented in the patient's medical record including:
 - a. The date and time of the patient's discharge, and
 - b. A description of the patient's medical condition at the time of discharge; and
6. The patient receives discharge instructions and receipt of the discharge instructions is documented in the patient's medical record.

R4-22-507. Emergency Drugs; Equipment and Space Used for Office-based Surgery

- A. In addition to the requirements in R4-22-503(A)(3) and R4-22-504(A)(1), an osteopathic physician who performs office-based surgery shall ensure ~~that~~ the osteopathic physician's office has at a minimum:
1. The following:
 - a. A reliable oxygen source with a SaO₂ monitor;
 - b. Suction;
 - c. Resuscitation equipment, including a defibrillator;
 - d. Emergency drugs; and
 - e. A cardiac monitor;
 2. The equipment for patient monitoring according to the standards in R4-22-505;
 3. Space large enough to:
 - a. Allow access to the patient during office-based surgery, recovery, and any emergency;
 - b. Accommodate all equipment necessary to perform the office-based surgery; and
 - c. Accommodate all equipment necessary for sedation monitoring;
 4. A source of auxiliary electrical power available in the event of a power failure;
 5. Equipment, emergency drugs, and resuscitative capabilities required under this Section for patients less than 18 years of age, if office-based surgery is performed on these patients; and
 6. Procedures to minimize the spread of infection.
- B. An osteopathic physician who performs office-based surgery shall:
1. Ensure ~~that~~ all equipment used for office-based surgery is maintained, tested, and inspected according to manufacturer specifications; and
 2. Maintain documentation of manufacturer-recommended maintenance of all equipment used in office-based surgery.

R4-22-508. Emergency and Transfer Provisions

- A. An osteopathic physician who performs office-based surgery shall ensure ~~that~~ a health care professional who participates ~~in~~ with or a staff member who assists with office-based surgery receives instruction in the following:
1. Policy and procedure in cases of emergency,
 2. Policy and procedure for office evacuation, and
 3. Safe and timely patient transfer.
- B. When performing office-based surgery, an osteopathic physician shall not use any drug or agent that may trigger malignant hyperthermia.

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TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE
CHAPTER 5. INDUSTRIAL COMMISSION OF ARIZONA

File Number: R26-92

PREAMBLE

1. **Permission to proceed with this proposed rulemaking was granted under A.R.S. § 41-1039 by the governor on:**
May 27, 2026

2. Article, Part, or Section Affected (as applicable)	Rulemaking Action
R20-5-902	Amend
R20-5-903	Re-number
R20-5-903	New Section
R20-5-904	Re-number
R20-5-904	Amend
R20-5-905	Re-number
R20-5-905	Amend
R20-5-906	Re-number
R20-5-906	Amend
R20-5-907	Re-number
R20-5-907	Amend
R20-5-908	Re-number
R20-5-909	New Section
R20-5-909	Re-number
R20-5-1002	Amend
R20-5-1003	Amend
R20-5-1004	Amend
R20-5-1006	Amend
R20-5-1008	Amend
R20-5-1010	New Section
R20-5-1202	Amend
R20-5-1208	Amend
R20-5-1212	Amend
R20-5-1214	Amend
R20-5-1215	Re-number
R20-5-1215	New Section
R20-5-1216	Re-number
R20-5-1216	New Section
R20-5-1217	Re-number
R20-5-1217	New Section
R20-5-1218	Re-number
R20-5-1218	New Section
R20-5-1219	Re-number
R20-5-1219	New Section
R20-5-1220	Re-number
R20-5-1220	New Section
R20-5-1221	New Section
R20-5-1222	New Section
R20-5-1223	New Section
R20-5-1224	New Section
R20-5-1225	New Section
R20-5-1226	New Section
R20-5-1227	Re-number
R20-5-1227	Amend
R20-5-1228	Re-number
R20-5-1228	Amend

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R20-5-1229	Renumber
R20-5-1230	Renumber
R20-5-1231	Renumber
R20-5-1232	Renumber

3. Citations to the agency’s statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. §§ 23-107(A)(1); 23-240; 23-361; 23-364(A); 23-376

Implementing statute: A.R.S. Title 23, Chapter 2, Article 3, Article 7, Article 8, and Article 8.1

4. Citations to all related notices published in the Register that pertain to the current record of the proposed rule:

Notice of Rulemaking Docket Opening: 32 A.A.R. 1452, June 26, 2026 (*in this issue*); File Number: R26-100

5. The agency’s contact person who can answer questions about the rulemaking:

Name: Melissa Spurgeon
Title: Director
Division: Labor Department
Address: 800 W. Washington St., Suite 403
Phoenix, AZ 85007
Telephone: (602) 542-4661
Fax: (602) 542-8097
Email: melissa.spurgeon@azica.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:

The following rule changes are justified under A.R.S. § 41-1039(A)(2) “Reducing or ameliorating a regulatory burden on the public, while achieving the same regulatory objective” because the amendments make technical and conforming changes; clarify the ICA Labor Department’s regulatory processes and requirements; update response deadlines for Wage Claims to provide responders additional time to respond to an investigation; clarify how the Department will evaluate an employment relationship in Wage Claims, update the definition of “smallest increment that the employer’s payroll system uses to account for absences or use of other time” to be consistent with statute; clarify an employer shall not hinder an investigation under the act; and amend and create hearing procedure rules to make the administrative process and rights of appellants clear and less ambiguous for Minimum Wage, Retaliation, and Earned Paid Sick Time appeals: R20-5-902, R20-5-903, R20-5-904, R20-5-905, R20-5-906, R20-5-907, R20-5-908, R20-5-909, R20-5-1002, R20-5-1003, R20-5-1004, R20-5-1006, R20-5-1008, R20-5-1010, R20-5-1202, R20-5-1212, R20-5-1214, R20-5-1215, R20-5-1216, R20-5-1217, R20-5-1218, R20-5-1219, R20-5-1220, R20-5-1221, R20-5-1222, R20-5-1223, R20-5-1224, R20-5-1225, R20-5-1226, R20-5-1227, R20-5-1228, R20-5-1229, R20-5-1230, R20-5-1231, R20-5-1232.

The following rule change is justified under A.R.S. § 41-1039(A)(6) “Complying with a new or existing state statutory requirement” because pursuant to A.R.S. § 23-364(D) “[t]he commission may by regulation reduce or waive the recordkeeping and posting requirements herein for any categories of small employers whom it finds would be unreasonably burdened by such requirements...” and the Department previously adopted a waiver under A.A.C. R20-5-1208, however, the Department now finds no category of small employer will be unreasonably burdened by such posting requirements because it will allow for the posting requirement to be met through virtual posting on a virtual platform or website that employees frequently access: R20-5-1208.

7. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to 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 Commission did not review or rely on any study relevant to the proposed amended rules.

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

The proposed amendments will reduce regulatory burden while achieving the Commission’s regulatory objectives as

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prescribed by the Act.

10. The agency's contact person who can answer questions about the economic, small business and consumer impact statement:

Name: Melissa Spurgeon
Title: Director
Division: Labor Department
Address: 800 W. Washington St., Suite 403
Phoenix, AZ 85007
Telephone: (602) 542-4661
Fax: (602) 542-8097
Email: melissa.spurgeon@azica.gov

11. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Written comments about this proposed rulemaking will be accepted in person at the address provided under item #5, Monday through Friday from 8 a.m. to 5 p.m., except for state holidays. Comments will also be accepted via email at the email address provided under item #5. Mailed written comments shall be postmarked within 30 days of this published notice.

An oral proceeding is scheduled on this proposed rulemaking.

Date: August 5, 2026
Time: 10:30 a.m.
Location: Industrial Commission of Arizona
800 W. Washington
Phoenix, AZ 85007

Public comment period ends: August 5, 2026, at 5:00 p.m.

12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

Not applicable

- 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 proposed amended rules do not require issuance of a regulatory permit or license.
- 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:**
The proposed rules are not more stringent than federal law.
- 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:**
Not applicable

13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:
None

14. The full text of the rules follows:

TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE

CHAPTER 5. INDUSTRIAL COMMISSION OF ARIZONA

ARTICLE 9. YOUTH EMPLOYMENT

Section

R20-5-902. Forms

R20-5-903. Youth Labor Complaint Filing Requirements; Time for Filing; Computation of Time

R20-5-903-R20-5-904. Recordkeeping Requirements for Youths Under the Age of 16

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R20-5-904.R20-5-905.Findings and Order Issued by the Department
R20-5-905.R20-5-906.Conduct Hindering an Investigation
R20-5-906.R20-5-907.Hearing Procedure on Cease and Desist Order; Review
R20-5-907.R20-5-908.Hearing Procedure on Denied Variation, Modification, or Renewal of Variation; Review
R20-5-908.R20-5-909.Expired Service

ARTICLE 10. WAGE CLAIMS

Section
R20-5-1002. Forms
R20-5-1003. Filing Requirements; Time for Filing; Computation of Time
R20-5-1004. Investigation of Claim
R20-5-1006. Dismissal of Claim
R20-5-1008. Payment of Claim
R20-5-1010. Determination of Employment Relationship

ARTICLE 12 ARIZONA MINIMUM WAGE AND EARNED PAID SICK TIME PRACTICE AND PROCEDURE

Section
R20-5-1202. Definitions
R20-5-1208. Posting Requirements; ~~Small Employer Exemption~~
R20-5-1212. Conduct that Hinders Investigation
R20-5-1214. Review of Department Findings and Order; Request for Hearing Hearings; Issuance of Decision upon Hearing
R20-5-1215. Settlement
R20-5-1216. Hearing Procedure
R20-5-1217. Computation of Time; Discovery Motion; Other Motion not Specified
R20-5-1218. Motion for Summary Disposition of Case
R20-5-1219. Subpoenas for Witnesses
R20-5-1220. Subpoenas for Documents
R20-5-1221. Depositions
R20-5-1222. Refusal to Answer, Attend, or Produce Documents: Motion to Compel; Sanctions
R20-5-1223. Sanctions
R20-5-1224. Evidence Submission
R20-5-1225. Informal Conference
R20-5-1226. Application for Attorney's Fees, Decision Favorable to the Complainant
R20-5-1215.R20-5-1227.Request for Rehearing or Review of Decision upon Hearing
R20-5-1216.R20-5-1228.Judicial Review of Decision upon Hearing or Decision upon Review
R20-5-1217.R20-5-1229.Assessment of Civil Penalties Under A.R.S. § 23-364(F)
R20-5-1218.R20-5-1230.Collection of Wages, Earned Paid Sick Time, Equivalent Paid Time off, or Penalty Payments Owed
R20-5-1219.R20-5-1231.Resolution of Disputes
R20-5-1220.R20-5-1232.Small Employer Request for Exception to Recordkeeping Requirements

ARTICLE 9. YOUTH EMPLOYMENT

R20-5-902. Forms

- A.** The following forms; are available at <http://www.azica.gov> and upon request from the ~~Division Department~~, shall be used when applicable:
1. Application for variation, modification, or renewal of variation form;
 2. Request for hearing on cease and desist order form;
 3. Request for hearing on denied variation, modification, or renewal of variation form;
 - 3.4. Youth labor complaint form.
- B.** When making a youth labor complaint, a complainant shall provide the following information for the Department:
1. Complainant's name, mailing address, and telephone number;
 2. Employer's name and address;
 3. If about specific youth, the affected youth name or names;
 4. A description of the alleged violation;
 5. Complainant's signature or electronic signature and signature date.

R20-5-903. Youth Labor Complaint Filing Requirements; Time for Filing; Computation of Time

- A.** A complainant shall file a youth labor complaint with the Department within one year of the date of the alleged violation.
- B.** In computing any period of time prescribed or allowed by this Article, the day of the act or event from which the designated period of time begins to run is not included. The last day of the period and Saturdays, Sundays, and legal holidays are included in the computation of time.
- C.** The date of filing of the complaint is the date the complainant's youth labor complaint form is received by the Department.
- D.** For the purpose of computing time, the Department shall deem a form, document, instrument, or other written record filed at the Tucson office as filed at the Phoenix office.

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- E. An individual filing a form or document related to a complaint shall legibly fill out the form or document.
- F. Upon its own complaint, the Department may investigate violations under the Act.

~~R20-5-903~~, ~~R20-5-904~~, Recordkeeping Requirements for Youths Under the Age of 16

No change

1. No change
2. No change
3. No change
4. No change
5. No change

~~R20-5-904~~, ~~R20-5-905~~, Findings and Order Issued by the Department

- A. Upon receipt of a complaint alleging a violation of the Act, the Department shall investigate and issue a Findings and Order of its determination.
- B. If the Department determines that an employer has violated the Act, the Department shall:
 1. ~~Shall direct~~ Direct the employer or other person to cease and desist from the violation and may take action necessary to remedy the violation, and
 2. Order the employer to pay a civil penalty to the general fund, consistent with A.R.S. § 23-236.
- C. If the Department determines that no violation of the Act has occurred, or if the Department is unable to reach a conclusion based on the evidence submitted, the Department shall notify the parties and shall dismiss the complaint.
- D. The Director of the Department shall sign the written Findings and Order issued by the Department.

~~R20-5-905~~, ~~R20-5-906~~, Conduct Hindering an Investigation

- A. An employer shall not hinder an investigation under the Act.
- B. An employer hinders an investigation under the Act if the employer engages in conduct, or causes another person to engage in conduct, that delays or otherwise interferes with the Department's investigation, including:
 1. Obstructing or refusing to admit the Department to any place of employment authorized under the Act;
 2. Obstructing or refusing to permit interviews authorized under the Act;
 3. Failing to make, keep, or preserve records required under the Act or this Article;
 4. Failing to permit the review and copying of records required under the Act and this Article; and
 5. Falsifying any record required under the Act or this Article.

~~R20-5-906~~, ~~R20-5-907~~, Hearing Procedure on Cease and Desist Order; Review

- A. A request for hearing on a cease and desist order ~~form~~ must be completed in writing and received by the Director no later than 20 days after the issuance of the cease and desist order.
- B. The Department has the burden of proof to establish a violation of the Act.
- C. An ~~Administrative Law Judge~~ administrative law judge shall preside over hearings held under this Section and shall apply the provisions of A.R.S. § 41-1062 to hearings held under this Section and shall have the authority and power of a presiding officer as described in A.R.S. § 41-1062.
- D. The Chief Counsel of the Commission, or a designee, shall represent the ~~Division~~ Department in hearings held under this Section.
- E. Except as otherwise provided by law, a party to a hearing may appear on its own behalf or through an authorized legal representative. When an authorized legal representative appears or intends to appear before the Commission, the representative shall file a notice of appearance with the Commission.
- F. Upon the completion of a hearing, the ~~ALJ~~ administrative law judge shall issue an order either affirming, modifying, or reversing the cease and desist order.
- G. The order issued by the ~~ALJ~~ administrative law judge after the hearing is final unless a party requests review within ~~thirty~~ 30 days after the date of service of an order ~~a party requests review~~.
- H. A party may request review of the ~~ALJ~~ administrative law judge order by filing a written request for review with the ~~ALJ~~ administrative law judge ~~a written request for review~~.
- I. Upon the completion of a review, the ~~ALJ~~ administrative law judge shall issue an order upon review either affirming, modifying, or reversing the ~~ALJ~~ administrative law judge order no later than 30 days after receiving a request for review.
- J. The order upon review is final unless a party seeks judicial review as provided in A.R.S. § 23-237(C).

~~R20-5-907~~, ~~R20-5-908~~, Hearing Procedure on Denied Variation, Modification, or Renewal of Variation; Review

- A. A request for hearing on denied variation, modification, or renewal of variation ~~form~~ must be completed in writing and received by the Director no later than 30 days after the issuance of the denied ~~variation~~ request.
- B. The ~~Department~~ Applicant has the burden of proof to establish that the application, modification, or renewal for variation ~~does not satisfy~~ satisfies the requirements established in A.R.S. § 23-241(A).
- C. An ~~Administrative Law Judge~~ administrative law judge shall preside over hearings held under this Section and shall apply the provisions of A.R.S. § 41-1062 to hearings held under this Section and shall have the authority and power of a presiding officer as described in A.R.S. § 41-1062.
- D. The Chief Counsel of the Commission, or a designee, shall represent the ~~Division~~ Department in hearings held under this Section.
- E. Except as otherwise provided by law, a party to a hearing may appear on its own behalf or through an authorized legal representative. When an authorized legal representative appears or intends to appear before the Commission, the representative shall file a notice of appearance with the Commission.

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- F. Upon the completion of a hearing, the ALJ administrative law judge shall issue an order either affirming, modifying, or reversing the denied variation, modification, or renewal of variation.
- G. The order issued by the ALJ administrative law judge after the hearing is final unless a party requests review within ~~thirty~~ 30 days after the date of service of an order ~~a party requests review~~.
- H. A party may request review of the ALJ administrative law judge order by filing a written request for review with the ALJ administrative law judge ~~a written request for review~~.
- I. Upon the completion of a review, the ALJ administrative law judge shall issue an order upon review either affirming, modifying, or reversing the ALJ administrative law judge order no later than 30 days after receiving a request for review.
- J. The order upon review is final unless an action is commenced pursuant to A.R.S. § 12-904.

~~R20-5-908~~R20-5-909.Expired Service

No change

No change

- 1. No change
- 2. No change

ARTICLE 10. WAGE CLAIMS

R20-5-1002. Forms

The following forms are available upon request from the Department or from the Industrial Commission of Arizona's website at www.azica.gov:

- 1. Wage claim. When making a claim, a claimant shall provide the following information to the Department:
 - a. Claimant's name, mailing address, ~~e-mail address~~, telephone number, and date of birth;
 - b. Employer's name, address, telephone number, and description of business;
 - c. Claimant's dates of employment, position, and pay;
 - d. The type and amount of the wages owed and the time period ~~worked~~ related to the unpaid wages; and
 - e. Claimant's signature or electronic signature and signature date.
 - f. All required information must be legible.
- 2. No change

R20-5-1003. Filing Requirements; Time for Filing; Computation of Time

- A. A claimant shall file a claim with the Department within one year of the date of the accrual of the claim.
- B. In computing any period of time prescribed or allowed by this Article, the day of the act or event from which the designated period of time begins to run is not included. The last day of the period and Saturdays, Sundays, and legal holidays are included in the computation of time.
- C. The date of filing of the claim is the date the claimant's wage claim form is received by the Department.
- D. The Department shall deem a form, document, instrument, or other written record filed at the Tucson office as filed at the Phoenix office for the purpose of computing time.
- E. An individual filing a form or document related to a claim shall legibly fill out the form or document.
- F. If the wage claim form received from a claimant does not include the information required by R20-5-1002(1), ~~the Department shall return the wage claim form to the claimant with a request that the claimant provide the required information and return the completed wage claim form to the Department within 14 of the date of service of the Department's request. If the Department does not receive the completed wage claim form within 14,~~ the Department shall not initiate an investigation of the claim and the Department shall consider the claim withdrawn without prejudice. The claimant may re-file a withdrawn wage claim with the information required by R20-5-1002(1), if the claim is re-filed within one year of the date of the accrual of the claim.

R20-5-1004. Investigation of Claim

- A. The Department shall serve a copy of a claimant's wage claim form on the employer listed on the wage claim, with a request that the employer pay the amount claimed or complete and file the employer response ~~form~~ within ~~14-21~~ 14-21 days of the date of service of the Department's request.
- ~~B.~~ ~~If the Department does not receive the employer response form under subsection (A), the Department shall serve written notice on the employer stating that the employer must pay the amount claimed or file a written response to the wage claim within 14 days of the date of service of the Department's written notice.~~
- ~~C.~~ If the employer disputes the claim, The the Department shall serve a copy of the employer's response on the claimant and offer the claimant the opportunity to file a written reply and supporting evidence to the employer's response within 14-21 days from the date of service. If the Department does not receive claimant's reply within 14-21 days, the Department shall make a determination of the claim based on the evidence in the file.
- ~~D.~~ If the employer fails or refuses to pay the amount claimed or submit a written response to the claim in accordance with subsection (B) subsection (A), the Department shall make a determination of the claim based on the evidence in the file.
- ~~E.~~ Upon request from the Department, and if necessary to complete the Department's investigation, the claimant, the employer, or both, shall submit further written evidence information or meet with the Director or the Director's designee. Except for statements made during settlement, mediation, or an informal conference, the Director or the Director's designee may administer oaths for the purpose of taking affidavits and may record the meeting.
- ~~F.~~ Upon completion of its investigation, the Department shall serve the Department's determination in writing on the parties.

R20-5-1006. Dismissal of Claim

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- A. The Department shall dismiss a claim if:
1. The claim is filed more than one year after the date of the accrual of the claim,
 2. The claimant does not comply with ~~R20-5-1003(F)~~, R20-5-1002(1),
 3. The amount of wages owed exceeds ~~\$5,000.00~~\$12,000.00,
 4. The Department's investigation of the claimant's evidence reveals no possible violation of A.R.S. § 23-350 et seq.,
 5. The claimant has filed a civil action regarding the same claim,
 6. The employer listed on the claim is in bankruptcy,
 7. The Department is unable to locate the employer based on the information provided by the claimant, or
 8. The wages in question have been withheld from the claimant pursuant to the claimant's prior written authorization.
- B. The Department shall send a notice of dismissal to the claimant and, except as provided in subsections (A)(1) through (A)(3) and (7), the Department shall send a notice of dismissal to the employer. Notices of dismissal shall notify the claimant of the availability of other remedies.

R20-5-1008. Payment of Claim

- A. No change
- B. If the Department discovers that payment of a wage claim is alleged to have been made directly to the claimant, the Department shall verify the payment by serving the claimant with notice that payment of the wage claim is alleged to have been made directly to the claimant. If the claimant confirms that payment of the wage claim was made directly to the claimant or does not respond to the Department's notice within 1421 days of the date of service of the Department's notice, the Department shall deem the claim to have been paid and shall dismiss the wage claim.
- C. No change
- D. No change

R20-5-1010. Determination of Employment Relationship

- A. Determination of an employment relationship under the Act, which includes whether an individual is an independent contractor, shall be based upon the economic realities of the relationship. Consideration of whether an individual is economically dependent on the employer for which the individual performs work shall be determined by factors showing dependence, which non-exclusive factors shall include those factors identified in A.R.S. §§ 23-902(D) and 23-1601(B).
- B. An individual who works for another person without any express or implied compensation agreement is not an employee under the Act. This may include an individual that volunteers to work for civic, charitable, or humanitarian reasons that are offered freely and without direct or implied pressure or coercion from an employer, provided that the volunteer is not otherwise employed by the employer to perform the same type of services as those which the individual proposes to volunteer.
- C. An individual who works for another individual as a babysitter on a casual basis and whose vocation is not babysitting, is not an employee under the Act even if the individual performs other household work not related to caring for the children, provided the household work does not exceed 20% of the total hours worked on the particular babysitting assignment.

ARTICLE 12. ARIZONA MINIMUM WAGE AND EARNED PAID SICK TIME PRACTICE AND PROCEDURE

R20-5-1202. Definitions

In this Article, the definitions of A.R.S. §§ 23-362 (version two), 23-371, and 23-364 apply. In addition, unless the context otherwise requires, the following definitions shall apply to both the Act and this Article:

- “Act” No change
- “Affected employee” No change
- “Amount of earned paid sick time available to the employee” No change
- “Amount of earned paid sick time taken by the employee to date in the year” No change
- “Amount of pay the employee has received as earned paid sick time” No change
- “Authorized representative” No change
- “Casual Basis” No change
- “Commission” No change
- No change
- No change
- No change
- No change
- “Communicable disease” No change
- “Complainant” No change
- “Department” No change
- “Earned sick time” No change
- “Employee's regular paycheck” No change
- “Equivalent paid time off” No change
- “Filing” No change
- The term “health care professional” No change
- “Health care professional” No change
- No change
- No change

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No change

No change

No change

A behavioral health provider practicing as:

No change

No change

No change

No change

“Health care provider” No change

“Hours worked” No change

“Minimum wage” No change

“Monetary compensation” No change

“On duty” No change

“Public benefits” No change

“Public health emergency” No change

“Salaried” No change

“Salary” No change

“Same hourly rate” means the following:

No change

No change

No change

No change

No change

No change

No change

No change

No change

No change

No change

No change

No change

No change

No change

No change

No change

No change

No change

“Same hourly rate” includes No change

“Same hourly rate” does not include:

No change

No change

No change

“Smallest increment that the employer’s payroll system uses to account for absences or use of other time” means the smallest increment of time that an employer utilizes, by policy or practice, to account for absences or use of other ~~paid time off.~~”

“Tip” No change

“Violation” No change

“Willfully” No change

“Workday” No change

“Workweek” No change

R20-5-1208. Posting Requirements; ~~Small Employer Exemption~~

A. ~~With the exception of small employers, every~~ Every employer subject to the Act shall place the posters prescribed by the Department informing employees of their rights under the Act in a conspicuous place in every establishment where employees are employed and where notices to employees are customarily placed or on a virtual platform or website that employees frequently access. The employer shall ensure that the notices are not removed, altered, defaced, or covered by other material.

B. ~~In this Section, unless context otherwise requires, “small employer” means a corporation, proprietorship, partnership, joint venture, limited liability company, trust, or association that has less than \$500,000 in gross annual revenue.~~

R20-5-1212. Conduct that Hinders Investigation

A. An employer shall not hinder an investigation under the Act.

B. An employer hinders an investigation under the Act if the employer engages in conduct, or causes another person to engage in conduct, that delays or otherwise interferes with the Department's investigation, including:

1. Obstructing or refusing to admit the Department to any place of employment authorized under the Act;

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2. Obstructing or refusing to permit interviews authorized under the Act;
3. Failing to make, keep, or preserve records required under the Act or this Article;
4. Failing to permit the review and copying of records required under the Act and this Article; and
5. Falsifying any record required under the Act or this Article.

R20-5-1214. Review of Department Findings and Order; Request for Hearing Hearings; Issuance of Decision Upon Hearing

- A.** Except as provided in R20-5-1213(D), a party aggrieved by a Findings and Order issued by the Department may request a hearing by filing a written request for hearing with the Department within 30 days after the Findings and Order is served upon the party. Failure to timely file a request for hearing means that the Findings and Order issued by the Department is final and res judicata to all parties.
- B.** A request for hearing shall be in writing and contain:
1. The name and address of the party requesting the hearing,
 2. The signature of the party or the party's authorized representative, and
 3. A statement that a hearing is requested.
- C.** Upon receipt of a timely filed request for hearing, the Department shall refer the matter to the Administrative Law Judge Division of the Commission for hearing.
- ~~**D.** Except as otherwise provided in this Section, the hearing shall be conducted under A.R.S. § 41-1061 et seq.~~
- ~~**E.** A person submitting correspondence or other documents, including subpoena requests, to an administrative law judge concerning a matter pending before the administrative law judge, shall contemporaneously serve a copy of the correspondence or other document upon all other parties, or if represented, the parties' authorized representative.~~
- ~~**F.** The administrative law judge may dismiss a request for hearing when it appears to the judge's satisfaction that the parties have resolved the disputed issue or issues.~~
- ~~**G.D.** The administrative law judge shall issue a written decision upon hearing containing findings of fact and conclusions of law no later than 30 days after the matter is submitted for decision. The decision shall be sent to the parties at their last known addresses served personally or by regular first class mail.~~
- ~~**H.E.** A decision issued under this Section is final when entered unless a party files a request for rehearing or review as provided in R20-5-1215 R20-5-1227 or commences an action in the Superior Court as provided in R20-5-1216 R20-5-1228 and A.R.S. § 12-901 et seq. The decision shall contain a statement explaining the review rights of a party.~~

R20-5-1215. Settlement

- A.** Settlement is encouraged at any stage of the proceedings where such settlement is consistent with the provisions and objectives of the Act.
- B.** Opportunity shall be afforded all parties to participate in a settlement conference unless all parties decline to set a settlement conference.
- C.** A settlement agreement submitted by interested parties shall be accompanied by a proposed order, which, if appropriate, shall be approved and signed by the administrative law judge.

R20-5-1216. Hearing Procedure

- A.** An interested party having the burden of proof in any matter, whether or not represented by an attorney, shall appear personally at hearing without the necessity of subpoena unless excused by the administrative law judge.
- B.** Notwithstanding any other rule in this Article, an administrative law judge may conduct the hearing in any manner that will achieve substantial justice.
- C.** If a hearing is conducted remotely:
1. All participants shall be viewable on camera, unless permission is granted in advance by the presiding administrative law judge to appear telephonically or off camera;
 2. Any documents or exhibits that will be shown to a witness shall have been exchanged with the other parties and uploaded to the case file in advance of the hearing and in accordance with these rules; and
 3. The recording of any hearing by a party to the proceeding is prohibited unless authorized by the presiding administrative law judge.
- D.** A person submitting correspondence, including subpoena requests, to an administrative law judge concerning a matter pending before the administrative law judge, shall contemporaneously serve a copy of the correspondence upon all other parties, or if represented, the parties' authorized representatives. The administrative law judge shall not consider correspondence or subpoena requests to be evidence except by agreement of all parties to the matter.
- E.** Except as otherwise provided in this Article, the hearing shall be conducted under A.R.S. § 41-1061 et seq.
- F.** The administrative law judge may dismiss a request for hearing when it appears to the judge's satisfaction that the parties have resolved the disputed issue or issues.

R20-5-1217. Computation of Time; Discovery Motion; Other Motion not Specified

- A.** For purposes of computing time under this Article, the following applies:
1. The Commission shall not include in the computation of time the day of the act or event from which the designated period begins to run.
 2. The Commission shall include in the computation of time the last day of the designated period, unless the last day is a Saturday, Sunday, or state legal holiday, in which event the period runs until the end of the next day that is not a Saturday, Sunday, or state legal holiday.
 3. If this Article or other law requires that a report, document, instrument, videotape, audiotape, or other written matter be filed within a designated period of time before hearing, the Commission shall not include the day of the act or event from which the

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designated period of time begins to run. The Commission shall include the last day of the designated period unless that day is a Saturday, Sunday, or state legal holiday, in which event the period runs to the end of the next day that is not a Saturday, Sunday, or state legal holiday.

4. If the period of time prescribed is less than 11 days, the Commission shall not include intermediate Saturdays, Sundays, or state legal holidays in the computation of time.
- B.** Unless another time is provided by this Article, a person upon whom a motion is filed under this Article may file a response to the motion within 10 days after the motion is filed.
- C.** The Commission shall not consider a discovery motion unless the moving party attaches a separate statement to the discovery motion certifying that after good faith efforts to do so, the moving party has been unable to satisfactorily resolve the matter giving rise to the discovery motion with the opposing party.

R20-5-1218. Motion for Summary Disposition of Case

- A.** A party may seek disposition of a case under this Article by motion where there is no genuine issue of material fact and the party is entitled to judgment as a matter of law.
- B.** A motion seeking summary disposition shall be filed at least 45 days prior to hearing, unless another deadline has been established by the presiding administrative law judge. The motion shall be supported by affidavits, exhibits, or attachments. The filing party shall serve a copy of the motion and supporting affidavits, exhibits, or attachments on all other interested parties.
- C.** Any response opposing the motion for summary disposition shall be filed within 15 days of the filing of the motion for summary disposition, and shall include affidavits, exhibits, or attachments.
- D.** A reply to a motion response is not permitted.
- E.** An objection to supporting affidavits, exhibits, or attachments must be stated concisely in a motion response and must identify the legal basis for the objection.
- F.** An affidavit used to support or oppose a motion for summary disposition must be made and signed by a person with firsthand knowledge. If an affidavit refers to a document or part of a document, a copy of the document must be attached to the affidavit.

R20-5-1219. Subpoenas for Witnesses

- A.** A party may request a presiding administrative law judge to issue a subpoena to compel the appearance of a witness by filing a written request with the presiding administrative law judge at least 10 days before the date of the first scheduled hearing.
- B.** The presiding administrative law judge may order the party requesting a subpoena to file within five days of the order a written statement summarizing the substance of the testimony expected of the witness.
- C.** A presiding administrative law judge shall issue a subpoena requested under this Section if the judge determines that the testimony of the witness is material and necessary and, if applicable:
 1. The party files a timely statement under subsection (B); or
 2. The party shows at or before the first scheduled hearing that good cause exists for the party's failure to respond timely to the judge's order under (B).
- D.** The Commission may serve a subpoena by mail unless the party requesting the subpoena requests personal service. If a party requests personal service of a subpoena, the Commission shall prepare the subpoena and the party requesting personal service shall:
 1. Ensure that the subpoena is served in the same manner as in a civil action; and
 2. Pay all expenses of the service.
- E.** If a party timely requested a subpoena for a witness who fails to appear at a scheduled hearing, the presiding administrative law judge may grant a continued hearing if the party requesting the subpoena demonstrates that:
 1. The testimony of the witness is material and necessary, and
 2. Good cause is shown as to why the witness failed to appear.
- F.** If a witness requests a witness fee, the party requesting the subpoena shall pay the witness fees and mileage provided for witnesses in civil actions in the Superior Court. If more than one party subpoenas the same witness, the parties shall divide the witness fee equally.

R20-5-1220. Subpoenas for Documents

- A.** A party may request a presiding administrative law judge to issue a subpoena for production of books, records, documents, or other evidence relevant to the pending matter by filing a written request with the presiding administrative law judge at least 20 days before the date of the first scheduled hearing.
- B.** In the discretion of the presiding administrative law judge, the judge may order the party requesting a subpoena to file within five days of the order a written statement summarizing the relevance of the requested books, records, documents, or other evidence.
- C.** A presiding administrative law judge shall issue a subpoena requested under this Section if the judge determines that the requested books, records, documents, or other evidence is material and necessary and, if applicable:
 1. The party files a timely statement under subsection (B); or
 2. The party shows at or before the first scheduled hearing that good cause exists for the party's failure.
- D.** The Commission may serve a subpoena for the production of books, records, documents, or other evidence by mail unless the party requesting the subpoena requests personal service. If a party requests personal service of a subpoena, the Commission shall prepare the subpoena and the party requesting personal service shall:
 1. Ensure that the subpoena is served in the same manner as in a civil action; and
 2. Pay all expenses of the service.

R20-5-1221. Depositions

- A.** A party may take the oral deposition of another party or a witness residing in Arizona upon demonstrating the reasonable need of the deposition testimony pursuant to A.R.S. § 41-1062(B)(4) and by filing and serving a Notice of Deposition by Oral Examination upon

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the deponent and every party at least 10 days before the date of the oral deposition and at least 30 days before the first scheduled hearing.

- B.** A party may file with the presiding administrative law judge a written objection to the taking of an oral deposition within five days after service of the Notice of Deposition. The party objecting to the deposition shall:
 - 1. State the basis for objecting to the deposition; and
 - 2. Serve a copy of the party's objections on all parties.
- C.** The oral deposition shall not commence until the presiding administrative law judge rules on the written objection. The presiding administrative law judge shall rule on the written objection to the taking of an oral deposition within seven days after a party files a written objection by:
 - 1. Ordering the deposition to proceed;
 - 2. Ordering the deposition not be taken; or
 - 3. Entering any other appropriate protective order.
- D.** The party taking the deposition shall comply with the Arizona Rules of Civil Procedure governing the taking of depositions.
- E.** Only the fees and costs associated with the taking of any deposition shall be borne by the party taking the deposition.
- F.** A presiding administrative law judge, in the exercise of discretion, and upon a showing of good cause, may cancel or continue a hearing because a party fails to take or complete a deposition under this Section.
- G.** A deposition taken under this Section shall only be used to impeach a witness during a hearing, except that, in the exercise of discretion and for good cause, the presiding administrative law judge may admit a deposition into evidence for another purpose.
- H.** A party may take a telephonic or other remote deposition under this Section either by agreement of the parties or by order of the presiding administrative law judge in the exercise of the judge's discretion.

R20-5-1222. Refusal to Answer, Attend, or Produce Documents: Motion to Compel; Sanctions

- A.** If a party or deponent refuses to answer any question asked at a deposition under R20-5-1221, the party asking the question shall either complete the deposition in other matters or adjourn the deposition. With notice to all persons affected by the deponent's refusal to answer a question, the party asking the question may apply to the presiding administrative law judge for an order compelling the deponent to answer the question.
- B.** If a party fails to provide a response to a subpoena for the production of documents under R20-5-1220, the party serving the subpoena for production may apply for an order compelling the production.
- C.** If a presiding administrative law judge issues an order compelling an answer under subsection (A) or an order compelling production of documents under subsection (B) and finds that a refusal to answer or provide a response is without substantial justification, the presiding administrative law judge shall require the party or witness refusing to answer or provide a response, or the authorized representative advising that party or witness not to answer, or respond, or both of them, to pay to the party asking the question, or having served the subpoena:
 - 1. Reasonable attorney's fees incurred to obtain the order compelling the answer, or response, and
 - 2. Reasonable expenses that will be incurred to obtain the requested answer, or response.
- D.** If a presiding administrative law judge denies a motion to compel under subsection (A) or (B), and finds that the motion was made without substantial justification, the presiding administrative law judge shall require the party filing the motion, or the parties' authorized representative advising that party to make the motion, or both of them, to pay to the party or witness refusing to answer reasonable attorney's fees incurred in opposing the motion.
- E.** A presiding administrative law judge may impose any sanction under R20-5-1223 upon a party if the party, or an officer or managing agent of that party, willfully fails to appear for a deposition after being served with proper notice of the deposition, or fails to provide a response to a subpoena for the production of documents served under this Article.
- F.** The Commission shall not consider a discovery motion unless the moving party certifies that after good faith efforts to do so, the moving party has been unable to satisfactorily resolve the matter giving rise to the discovery motion with the opposing party.

R20-5-1223. Sanctions

- A.** A presiding administrative law judge may impose the following sanctions or any combination thereof against any party if the party, its attorney, or its authorized representative fails to comply with R20-5-1219, R20-5-1220, R20-5-1221, R20-5-1222, any provision of this Article, or fails to comply with an order of the presiding administrative law judge or the Commission:
 - 1. Dismissal of the party's request for hearing;
 - 2. Preclude the introduction of evidence by the party;
 - 3. Preclude the testimony of a witness or witnesses;
 - 4. Strike any document or testimony from the record; and
 - 5. Assess reasonable attorney's fees and costs against the sanctioned party, its attorney, or the authorized representative of a party, or any combination of the foregoing individuals.
- B.** If a party shows good cause, a presiding administrative law judge or the Commission may relieve a party of sanctions imposed under subsection (A).

R20-5-1224. Evidence Submission

- A.** A party filing into evidence a document, report, instrument, or other written matter shall file the same with the presiding administrative law judge at least 20 days before the first scheduled hearing.
- B.** The party filing into evidence a document, report, instrument, or other written matter shall serve a copy of the same to all other parties.
- C.** A presiding administrative law judge, at their discretion, may preclude evidence submissions that are not filed as required under this Section.

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- D.** The presiding administrative law judge may suspend the requirements of this Section;
 - 1. Upon a showing of good cause; or
 - 2. If the parties agree that the judge may accept the medical or non-medical report into evidence.
- E.** The party filing a document, report, instrument, or other written matter under this Section shall file a cover letter with the report stating:
 - 1. The party's identity;
 - 2. The reports filed; and
 - 3. Proof of service of the reports upon the other parties.
- F.** A party seeking to cross-examine the author of a document, report, instrument, or other written matter or report filed into evidence shall request a subpoena under R20-5-1219.
- G.** If a party fails to timely request a subpoena under this Section and R20-5-1219, the party waives the right to cross-examine the author of any document, report, instrument, or other written matter and the presiding administrative law judge shall admit the same in evidence.

R20-5-1225. Informal Conference

- A.** A presiding administrative law judge may hold an informal conference to:
 - 1. Resolve and dispose of disputed issues;
 - 2. Narrow or limit the scope of the issues to be considered at a subsequent hearing;
 - 3. Simplify the method of proof at a hearing; or
 - 4. Eliminate the need for hearing if the facts appear to be uncontested.
- B.** A party may request that a pending hearing be disposed of by an informal conference, by filing a written request that:
 - 1. Specifies the purpose for the conference consistent with subsection (A), and
 - 2. Does not contain any argument regarding the merits of the case.
- C.** If the presiding administrative law judge determines that an informal conference is appropriate, the judge shall give notice to the parties of the time and place of the conference. The presiding administrative law judge may, without a request from a party, schedule an informal conference by giving five days' notice to the parties of the time, place, and subject matter of the informal conference. The parties may waive the five day notice requirement of this subsection.
- D.** If a presiding administrative law judge disposes of issues in controversy at an informal conference, the presiding administrative law judge may enter an award without convening a hearing.
- E.** If a presiding administrative law judge disposes of, narrows, or limits some, but not all issues in controversy, the presiding administrative law judge shall prepare and mail to the parties a statement setting forth the issues to be resolved at a hearing. The presiding administrative law judge shall limit the hearing to the issues contained in the statement unless at the hearing all parties and, the presiding administrative law judge agree that the judge may consider issues beyond the scope of the statement.
- F.** Upon request by a party or upon a presiding administrative law judge's own motion, the presiding administrative law judge may order the parties to file a joint statement listing the disputed issues to be considered at formal hearing. The presiding administrative law judge shall give the parties at least 10 days to file the statement and shall order the parties to file the statement three to 10 days before the first scheduled hearing.

R20-5-1226. Application for Attorney's Fees, Decision Favorable to the Complainant

Upon a decision favorable to the complainant and application to the presiding administrative law judge, a prevailing complainant shall be entitled to reasonable attorney's fees and costs of suit, pursuant to A.R.S. § 23-364(G). A prevailing complainant's application for attorney's fees shall be filed within 20 days of the decision favorable to the complainant and shall include:

- 1. The amount of reasonable attorney's fees sought;
- 2. The costs of suit sought; and
- 3. An affidavit containing the hourly rate charged by the attorney to the complainant; an itemized statement of the time spent representing the complainant in the proceeding, containing sufficient detail to determine if the services provided and the time spent were reasonable; and any information regarding the attorney's expertise sufficient to determine the reasonableness of the rate charged.
- 4. An objection to the application for attorney's fees shall be filed within 10 business days of the application.

~~R20-5-1215.~~R20-5-1227. Request for Rehearing or Review of Decision Upon Hearing

- A.** A party may request rehearing or review of a decision issued under R20-5-1214 by filing with the Administrative Law Judge administrative law judge a written request for rehearing or review no later than 15 days after the written decision is served personally or by regular first class mail upon the parties.
- B.** A request for rehearing or review shall be based upon any of the following causes that materially affected the rights of an aggrieved party:
 - 1. Irregularities in the hearing proceeding or any order, or abuse of discretion that deprives a party seeking review of a fair hearing;
 - 2. Accident or surprise that could not have been prevented by ordinary prudence;
 - 3. Newly discovered material evidence that could not have been discovered with reasonable diligence and produced at the hearing;
 - 4. Error in the admission or rejection of evidence, or errors of law occurring at the hearing;
 - 5. Bias or prejudice of the Department or administrative law judge; and
 - 6. The findings of fact or conclusions of law contained in the decision are not justified by the evidence or are contrary to law.
- C.** A request for rehearing or review shall state the specific facts and law in support of the request and shall specify the relief sought by the request.

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- D. A party shall have 15 days from the date of the filing of a request for rehearing or review to file a written response. Failure to respond shall not be deemed an admission against interest.
- E. ~~The presiding administrative law judge may affirm, reverse, rescind, modify or supplement the decision, or grant a rehearing and make such disposition of the case as is determined to be appropriate. A decision on the request for review or rehearing shall be made within 60 days after receiving a request for review or rehearing. The administrative law judge shall issue a decision upon review no later than 30 days after receiving a request for review or response, if one is filed.~~
- F. A decision upon review is final unless a party seeks judicial review as provided in ~~R20-5-1216~~ R20-5-1228.

~~R20-5-1216~~ R20-5-1228. Judicial Review of Decision upon Hearing or Decision upon Review

- A. A party aggrieved by a decision upon hearing issued under R20-5-1214 or a decision upon review issued under ~~R20-5-1215~~ R20-5-1227 may seek review by commencing an action in the Superior Court as provided in A.R.S. § 12-901 et seq. within 35 days from the date a copy of the decision sought to be reviewed is served personally or by regular first class mail upon the party affected.
- B. A decision upon hearing issued under R20-5-1214 or a decision upon review issued under ~~R20-5-1215~~ R20-5-1227 is final unless a party seeks judicial review as provided under A.R.S. § 12-901 et seq.

~~R20-5-1217~~ R20-5-1229. Assessment of Civil Penalties Under A.R.S. § 23-364(F)

No change

~~R20-5-1218~~ R20-5-1230. Collection of Wages, Earned Paid Sick Time, Equivalent Paid Time off, or Penalty Payments Owed

- A. No change
- B. No change
- C. No change

~~R20-5-1219~~ R20-5-1231. Resolution of Disputes

No change

~~R20-5-1220~~ R20-5-1232. Small Employer Request for Exception to Recordkeeping Requirements

- A. No change
- B. No change
 - 1. No change
 - 2. No change
 - 3. No change
- C. No change
 - 1. No change
 - 2. No change
- D. No change
- E. No change

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NOTICES OF FINAL RULEMAKING

Volume 32, Issue 26, June 26, 2026

NOTICES OF FINAL RULEMAKING

An agency shall submit a Notice of Final Rulemaking to the Governor's Regulatory Review Council (Council) or Attorney General for review within 120 days after the close of the record on a proposed rulemaking, and if applicable, supplemental proposed rulemaking, under [A.R.S. § 41-1024](#).

The Notice of Final Rulemaking as published in this section has been filed with a certificate of approval from the Council or Attorney General.

An economic, small business and consumer impact statement is filed with this notice but not published in the *Register*.

The effective date of this notice is published in item #4 of the preamble.

Questions about the notice can be answered by the person listed in item #6 of the preamble.

The codified version of Notices of Final Rulemaking are published in the *Arizona Administrative Code* by title and chapter.

NOTICES OF FINAL RULEMAKING

TITLE 2. ADMINISTRATION

CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION

File Number: R26-93

PREAMBLE

1. Permission to proceed with this final rulemaking was granted under A.R.S. § 41-1039 by the governor on:
Pursuant to A.R.S. § 41-1039(E)(2)(c), the Commission is not required to obtain permission to proceed with this rulemaking.

2. Article, Part, or Section Affected (as applicable)	Rulemaking Action
R2-20-702	Amend

3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):
Authorizing statute: A.R.S. § 16-956(A)(6)
Implementing statute: A.R.S. §§ 16-948, 16-953, 16-956(A)(7)

4. The effective date of the rule:
June 5, 2026

Note: The Commission approved an immediate effective date at its public meeting on March 26, 2026, pursuant to A.R.S. § 16-956(D) ("Rules adopted by the commission are not effective until January 1 in the year following the adoption of the rule, except that rules adopted by unanimous vote of the commission may be made immediately effective and enforceable."). The Commission requested that the Governor's Regulatory Review Council (GRRC) authorize an immediate effective date, and it did so June 2, 2026.

a. If the agency selected a date earlier than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):

An immediate effective date is required under A.R.S. § 41-1032(A)(1) because this is a change necessary to prevent loss or potential losses to the Clean Elections Fund and candidates may begin filing for funding in January 2026. Reaffirming black-letter rules for prohibited expenditures of clean elections money will assist in preserving the health, safety and welfare of the state by 1) ensuring the Commission's guidance on appropriate use has the force of law and 2) assisting with the requirement that clean elections funding only be used for direct campaign expenditures, which will reduce the possibility of waste or abuse. Additionally, while some candidates have filed for funding, candidates for statewide offices such as corporation commission and governor are still pending approval or have just received funding so there is time within this election cycle to ensure that the objectives of the statute are met.

b. If the agency selected a date later than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason the agency selected the later effective date as provided in A.R.S. § 41-

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1032(B):

Not applicable

5. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the current record of the final rule:

Notice of Rulemaking Docket Opening: 32 A.A.R. 266; Issue Date: January 23, 2026; Issue Number: 4; File Number: R26-02

Notice of Proposed Rulemaking: 32 A.A.R. 245; Issue Date: January 23, 2026; Issue Number: 4; File Number: R26-01

6. The agency's contact person who can answer questions about the rulemaking:

Name: Thomas M. Collins
Title: Executive Director
Address: 1110 W. Washington, Suite 250
Phoenix, AZ, 85007
Telephone: (602) 364-3477
Email: ccec@azcleaselections.gov
Website: azcleaselections.gov

7. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:

Under the Clean Elections Act, participating candidates are to spend money in their account for "goods or services to the campaign" and are to return to the Clean Elections Fund after the primary or general election any money beyond that necessary to pay bills for "expenditures" before the election or for "goods and services directed at the [particular] election" A.R.S. §§ 16-948(C), 16-953(A)-(B). The Commission has promulgated rules that "ensure that money from the fund is placed in candidate campaign accounts or otherwise spent as specified in this article and not otherwise." A.R.S. § 16-956(A)(7). These rules include placing the burden on each candidate to show that their campaign spending is for direct campaign purposes, audits of participating candidate campaign spending, processes for repayment of funds, and restrictions on and requirements for certain expenditures. The Clean Elections Act & Rules Manual (2022) includes a detailed list of goods, services and expenses that participating candidates cannot spend Clean Elections funds on because these items are considered personal expenses. It also included prohibitions on using Clean Elections Funds for certain legal expenses and limits on meal expenditures. Finally, it outlines the use of funds related to transactions with family members. These provisions were codified at Ariz. Admin. Code R2-20-702. They are not currently included in the Arizona Administrative Code, although staff research does not indicate the language was ever repealed by the Commission. For example, editions of the *Arizona Administrative Register* (2013 and 2017) contained the full language. See Ariz. Admin. Reg. Vol. 23, Issue 34, at 2343 (Aug. 25, 2017), available at https://apps.azsos.gov/public_services/register/2017/34/contents.pdf; Ariz. Admin. Reg. Vol. 19, Issue 26, at 2343 (June 28, 2013), available at https://apps.azsos.gov/public_services/register/2013/26/contents.pdf.

The historical notes to R2-20-702 detail editorial changes to the rule. Secretary of State's Office records confirm that the former Executive Director and an assistant attorney general assigned to the Commission authorized removal of some redundant text as identified in the historical note. The available records do not explain why the subsection itself was removed. To avoid confusion, provide guidance consistent with the existing statute and rules, and ensure the accuracy of the published Code, the Commission is considering adopting this amendment that would identify a non-exclusive list of purchases that participating candidates may not use clean elections funds for. *Ariz. Admin. Code* R2-20-703(A)(1) ("All participating candidates shall have the burden of proving that expenditures made by the candidate were for direct campaign purposes."). The amendment reproduces these rules in substantially the same format that they are included in Commission records and were codified in the *Arizona Administrative Code*.

8. 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:

Not applicable

9. 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

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- 10. A summary of the economic, small business, and consumer impact:**
There is little to no economic, small business, or consumer impact, other than the cost to the Commission to prepare the rule package, because the rulemaking simply provides specific categories of personal spending that clean elections funding may not be used for. Candidates already are generally barred from using clean elections funds for personal expenses. Thus, the economic impact is minimized
- 11. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:**
Not applicable
- 12. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:**
Not applicable
- 13. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**
Not applicable
- 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 rule does not require a permit.
- 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:**
There is no federal law applicable to the subject of the rule.
- 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:**
Not applicable
- 14. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:**
Not applicable
- 15. 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:**
Not applicable
- 16. The full text of the rules follows:**

TITLE 2. ADMINISTRATION
CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION
ARTICLE 7. USE OF FUNDS AND REPAYMENT

Section
R2-20-702. Use of Campaign Funds

ARTICLE 7. USE OF FUNDS AND REPAYMENT

R2-20-702. Use of Campaign Funds

- A.** A participating candidate shall use funds in the candidate's current campaign account to pay for goods and services for direct campaign purposes only. Funds shall be disbursed and reported in accordance with A.R.S. § 16-948(C).
- B.** Participating candidates may purchase fixed assets with a value not to exceed \$800. Fixed assets, including accessories, purchased with campaign funds that can be used for non-campaign purposes with a value of \$200 or more shall be turned into the Commission no later than 14 days after the primary election or the general election if the candidate was successful in the primary. For purposes of determining whether a fixed asset is valued at \$200 or more, the value shall include any accessories purchased for use with the fixed asset in question. A candidate may elect to keep an item by reimbursing the Commission for 80 percent of the original purchase price including the cost of accessories.
- C.** During the primary election period, a participating candidate shall not make any expenditure greater than the difference between:
1. The sum of early contributions received plus public funds disbursed through the primary election period; less

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2. All other expenditures made during and for the exploratory, qualifying and primary election periods.
- D. During the general election period, a participating candidate shall not make any expenditure greater than the difference between:
 1. The amount of public funds disbursed during and for the general election period; less
 2. All other expenditures made during and for the general election period.
- E. Transportation expenses.
 1. Except as otherwise provided in this subsection (D), the costs of transportation relating to the election of a participating statewide or legislative office candidate shall not be considered a direct campaign expense and shall not be reported by the candidate as expenditures or as in-kind contributions.
 2. If a participating candidate travels for campaign purposes in a privately owned automobile, the candidate may:
 - a. Use campaign funds to reimburse the owner of the automobile at a rate not to exceed the state mileage reimbursement rate in which event the reimbursement shall be considered a direct campaign expense and shall be reported as an expenditure and reported in the reporting period in which the expenditure was incurred. If a candidate chooses to use campaign funds to reimburse, the candidate shall keep an itinerary of the trip, including name and type of ~~events(s)~~ event or events attended, miles traveled and the rate at which the reimbursement was made. This subsection applies to candidate owned automobiles in addition to any other automobile.
 - b. Use campaign funds to pay for direct fuel purchases for the candidate's automobile only and shall be reported. If a candidate chooses to use campaign funds for direct fuel purchases, the candidate shall keep an itinerary of the trip, including name and type of ~~events(s)~~ event or events attended, miles traveled and the rate at which the reimbursement could have been made.
 3. Use of airplanes.
 - a. If a participating candidate travels for campaign purposes in a privately owned airplane, within ~~7~~ seven days from the date of travel, the candidate shall use campaign funds to reimburse the owner of the airplane at a rate of \$150 per hour of flying time, in which event the reimbursement shall be considered a direct campaign expense and shall be reported as an expenditure. If the owner of the airplane is unwilling or unable to accept reimbursement, the participating candidate shall remit to the fund an amount equal to \$150 per hour of flying time.
 - b. If a participating candidate travels for campaign purposes in a state-owned airplane, within ~~7~~ seven days from the date of travel, the candidate shall use campaign funds to reimburse the state for the portion allocable to the campaign in accordance with subsection ~~3a, (3)(a)~~ above. The portion of the trip attributable to state business shall not be reimbursed. If payment to the State is not possible, the payment shall be remitted to the Clean Elections Fund.
 4. If a participating candidate rents a vehicle or purchases a ticket or fare on a commercial carrier for campaign purposes, the actual costs of such rental (including fuel costs), ticket or fare shall be considered a direct campaign expense and shall be reported as an expenditure.
- E. A participating candidate shall not use funds in the candidate's campaign account for:
 1. Costs of legal defense in any campaign law enforcement proceeding or for any affirmative claim or litigation in court or before the Commission regarding a campaign. This prohibition does not bar use of campaign funds for payments to attorneys or certified accountants for proactive compliance advice and assistance.
 2. Food and beverages for staff and volunteers exceeding \$11 for breakfast, \$16 for lunch, and \$27 for dinner, per person.
 3. Personal use, which includes, but is not limited to, any item listed below:
 - a. Household food items or supplies.
 - b. Clothing, other than items of de minimis value used in the campaign, such as campaign t-shirts or caps with campaign slogans.
 - c. Tuition payments, other than those associated with training campaign staff.
 - d. Mortgage, loan, rent, lease, or utility payments:
 - i. For any part of a personal residence of the candidate or Family Member; or
 - ii. For real or personal property owned or leased by the candidate or a Family Member and used for campaign purposes, to the extent payments exceed the fair market value of the property usage.
 - e. Admission to a sporting event, concert, theater, or other form of entertainment, unless it is part of a specific campaign activity.
 - f. Dues, fees, or gratuities at a country club, health club, recreational facility, or other non-political organization, unless they are part of the costs of a specific fundraising event that takes place on the organization's premises.
 - g. Gifts or donations.
 - h. Extended warranties or other similar purchase options that extend beyond the campaign.
 4. Payment to a Family Member or an enterprise owned in whole or part by a Family Member, for the provision of goods or services to the extent payments exceed the fair market value of the goods or services. All such payments shall be clearly itemized and indicated as such in all campaign finance reports.

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NOTICE OF FINAL RULEMAKING
TITLE 18. ENVIRONMENTAL QUALITY
CHAPTER 14. DEPARTMENT OF ENVIRONMENTAL QUALITY
PERMIT AND COMPLIANCE FEES

File Number: R26-94

PREAMBLE

- 1. Permission to proceed with this final rulemaking was granted under A.R.S. § 41-1039 by the governor on:**
April 21, 2026

2. Article, Part, or Section Affected (as applicable)	Rulemaking Action
R18-14-101	Amend
R18-14-102	Amend
R18-14-104	Amend
R18-14-106	Amend
R18-14-108	Amend
R18-14-109	Amend
R18-14-110	Amend
R18-14-111	Amend
R18-14-112	Amend
R18-14-113	Repeal
R18-14-202	Amend
R18-14-301	Amend

- 3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**

Authorizing statute: A.R.S. §§ 49-104(C)(1), 49-210, 49-241, 49-242

Implementing statute: A.R.S. §§ 49-211, 49-241.02, 49-242(E), 49-255.01(J), 49-352(A), 49-353(A)(2), 49-361

- 4. The effective date of the rule:**

August 4, 2026

- a. If the agency selected a date earlier than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):**
Not applicable
- b. If the agency selected a date later than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason the agency selected the later effective date as provided in A.R.S. § 41-1032(B):**
Not applicable

- 5. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the current record of the final rule:**

Notice of Rulemaking Docket Opening: 31 A.A.R. 4140; Issue Date: October 24, 2025; Issue Number: 43; File Number: R25-243

Notice of Proposed Rulemaking: 32 A.A.R. 283; Issue Date: January 30, 2026; Issue Number: 5; File Number: R26-03

- 6. The agency's contact person who can answer questions about the rulemaking:**

Name: Matthew O'Donnell
Title: Attorney
Division: Office of Administrative Counsel
Address: Arizona Department of Environmental Quality
1110 W. Washington St.
Phoenix, AZ 85007

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Telephone: (602) 809-4869
Email: waterfees@azdeq.gov
Website: <https://azdeq.gov>

7. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:

A. Summary of Rulemaking

The Arizona Department of Environmental Quality (ADEQ) is amending Title 18, Chapter 14 of the Arizona Administrative Code to revise the methodology for annual Consumer Price Index (CPI) adjustments to water quality program fees. The two primary changes are: (1) updating the CPI calculation method used for annual fee adjustments from an "annual average" CPI to a "point-to-point" CPI measure, and (2) changing the fee rounding rule from rounding to the nearest \$10 to rounding down to the nearest cent for all CPI-adjusted fees. These changes will apply to all relevant fees in Chapter 14, including for water quality protection services (Article 1), public water system design review fees (Article 2), and certified operator fees (Article 3). This methodology change is intended to align with current agency practices while complying with statutory limits. The rule does not introduce new fees or raise existing fee caps, nor does it alter ADEQ operations, service delivery, or the obligations of the regulated community. The amended rules are intended to take effect August 1, 2026, in advance of the scheduled annual fee adjustments on that date.

Additionally, this rulemaking implements a course of action proposed in a five-year rule report approved by the Governor's Regulatory Review Council by updating statutory references, repealing an outdated rule, updating a rule title to improve clarity, and correcting typographical errors.

B. Need and Statutory Compliance

1. CPI Changes: Justification and Benefits

This rulemaking is necessary to ensure ADEQ's fee adjustments remain in strict compliance with A.R.S. § 41-1008(A)(3). That statute prohibits agencies from increasing a fee by more than the percentage change in the average CPI since the last fee increase without obtaining approval from the joint legislative budget committee. Under the existing rules last updated in 2023, ADEQ adjusts fees each year based on the average CPI for the 12 months ending June 30, and then rounds to the nearest \$10. Upon internal review, ADEQ determined that the current "annual average" CPI method can, in certain inflation scenarios, result in a fee increase slightly above the actual year-to-year inflation rate. Additionally, rounding fee increases to the nearest \$10 could cause fees to exceed the inflation change allowed by A.R.S. § 41-1008. To address these issues, ADEQ is implementing a more precise CPI calculation and rounding method.

These amendments are justified to maintain strict adherence to state law limits on fee increases. By using a point-to-point CPI metric, the rule will more closely tie annual fee adjustments to the actual year-over-year inflation experienced in Arizona's urban consumer market. Likewise, adopting a round-down to the nearest cent methodology ensures that fee payers are never charged more than the inflation-adjusted amount.

Furthermore, the new rounding rule provides consistency across all fee categories. In the past, rounding to \$10 may have been administratively convenient, but it introduced stepwise jumps in fees that were not proportional at the micro level. Rounding to the cent aligns with typical financial transactions and simplifies the fee schedule for customers, who will see fees in standard currency format.

2. R18-14-104(F)

R18-14-104(F) addresses annual adjustment of fees relative to changes in the Consumer Price Index (CPI) for the most recent year, and the amendment adds an exception for Underground Injection Control (UIC) annual waste disposal fees that adjust CPI rounding from the nearest \$10 to the nearest 100th of a cent and the nearest 10th of a cent, respectively. This is because those annual waste disposal fees are assessed at \$0.002/gallon for Class I Permits and \$0.08/ton for Class V Permits, respectively; thus, rounding those amounts to the nearest \$10.00, as the rule currently reads, may result in oversized fees being assessed.

3. R18-14-104(A)

The amendment to R18-14-104(A) helps clarify the basis for calculating how a regulated site holding more than one individual permit issued under the Aquifer Protection Program (APP) statutes (e.g., injection well, land treatment facility, dry well, on-site wastewater treatment facility with a capacity of more than three thousand gallons per day, a recharge facility, or a facility that discharges to protected surface waters) should calculate its annual registration fee by invoking A.R.S. § 49-242(F), which controls the basis for calculating annual registration fees. That statute provides that, "[f]or a site with more than one permit subject to the requirements of this section, the owner or operator of the facility at that site shall pay the annual registration fee . . . based on the permit that covers the greatest gallons of discharge or influent per day plus one-half of the annual registration fee for gallons of discharge or influent for each additional permit." This update is not a substantive change, but rather, adds a statutory citation for clarity purposes; the

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statute always applied, but the addition of the citation makes it clear how such fees should be calculated.

4. R-18-14-101, R18-14-106, and R18-14-113

The amendments to R18-14-101, R18-14-106, and R18-14-113 are limited to repealing an outdated, redundant, or otherwise no longer necessary rule and implementing a course of action proposed in a five-year rule report approved by the Governor's Regulatory Review Council.

R-18-14-101

The statutory reference to A.R.S. § 49-241.02 is removed. That statute has been modified, and no longer contains the references/definitions it was cited for, and is thus out of date and improperly cited.

A.R.S. § 49-241.02 was modified via 2022 Ariz. HB 2406 (2022 2nd Reg. Sess. Chp. 204 § 3, effective September 24, 2022). Before, the statute had only authorized ADEQ to conduct a one-time rulemaking establishing fee rules for the APP program, and instructed ADEQ to "review the revenues derived from and expenses incurred for processing permit action applications through June 30, 2014 to determine the adequacy of the maximum fees, and by August 31, 2014, the department shall issue a report to the legislature on its findings." The 2022 legislation modified the statute to grant ADEQ ongoing authority to adopt APP fee rules to "pay the expenses incurred in implementing" the APP program. The associated definitions section was removed at that time. The language from A.R.S. § 49-241.02 that had defined "complex modification" is added to R18-14-101(3) so the definition is still explicit.

Typographical errors related to a prior renumbering of definitions are also corrected.

R18-14-106

Currently, the title is "Reconsideration of a Bill; Appeal Process." The title is updated to remove ambiguity between an informal request for reconsideration of a billing charge, which the rule provides, and a formal appeal of agency action under A.R.S. § 41-1092, et seq. This nominal change does not diminish the ability to formally appeal agency action in any way; rather, the rule is intended to provide a quick and easy path to dispute bills as ADEQ generates invoices, without having to go through the entire formal appeal process.

R18-14-113

This outdated rule, related to the initial implementation of fees, is repealed.

C. Explanation of Amendments

ADEQ utilizes available bi-monthly CPI, all items, not seasonally adjusted, data for all urban consumers within the Phoenix-Mesa-Scottsdale, AZ metropolitan area. Data is published and made available by the U.S. Bureau of Labor Statistics (BLS), an independent agency within the U.S. Department of Labor (DOL), responsible for measuring labor market activity, working conditions, price changes, and productivity in the economy.

There are different methodologies available to ADEQ to implement changes to the index, and ADEQ proposes a change to CPI fee adjustments as follows:

First, the "base year" methodology in the fee rules will be changed from the "annual average" CPI over a 12-month period to a "point-to-point" measurement. Practically, this means the adjustment factor each year will be calculated using the CPI index value for a specific point in time compared to the index value at the base year. Previous fee adjustments were calculated by taking the arithmetic mean or annual average of the CPI values for each available month in a specified year, from August through June. To determine the CPI change between multiple time periods, the annual average would be calculated for the most recent year of bi-monthly data between August and June, then compared against the annual average bi-monthly data in the comparison year. For instance, when determining the CPI change between 2023 and 2025, the change was calculated from the annual averages for August 2022 through June 2023 against August 2024 through June 2025. The change was then applied to the existing fee level, then rounded to the nearest \$10. This includes rounding up or down, depending on the nearest \$10 interval.

The updated method for fee adjustments in this rule uses a direct comparison of the CPI values for June of the latest year, compared with June of the comparison year. For instance, when determining the CPI change between 2023 and 2025, the change would be calculated from June 2023 to June 2025, with the calculation reflecting only those two CPI values. Once the CPI change is applied to the existing fee levels, the new fee amount is always rounded down to the nearest cent. This change is intended to make certain that all new CPI calculations remain at or less than the change in CPI between respective time periods. This point-to-point method measures the actual change in the CPI between two points (e.g. June 2023 to June 2025) rather than the change in two 12-month averages. It produces a slightly lower inflation factor in the present context, reflecting recent decelerating inflation trends. For example, using the existing "annual average" method, the CPI inflation factor from 2023 to 2025 would be about 1.0411 (4.11% increase), whereas using a June-to-June point-to-point method it is about 1.0293 (2.93% increase). This difference (approximately 1.2 percentage points) indicates the CPI component of the point-to-point method is more conservative in measuring inflation for this period.

Second, the rulemaking will require that all CPI-adjusted fees be rounded down to the nearest cent. The current rules

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instruct rounding adjustments to the nearest \$10. For example, a calculated fee of \$181.15 becomes \$180 when rounded to the nearest \$10. Going forward, ADEQ will calculate the exact adjusted fee and then round down to the nearest penny. Under the new approach, many annual fees will decrease by a small amount compared to the prior method. For instance, a representative fee that was \$174 in 2023 would increase to approximately \$179.09 under the new method instead of \$180.00 under the old method. In this example, the regulated entity would pay \$0.91 less, a reduction of about 0.5% from what the old methodology would have produced. Similar modest reductions, on the order of half a percent or less, on average, are expected across various fee categories due to the combined effect of the refined CPI factor and the change to rounding down.

D. Effective Date

ADEQ intends to have the rules effective August 1, 2026. This date coincides with the schedule for annual CPI-based fee adjustments and will ensure that the 2026-2027 annual fee cycle uses the new methodology. By setting the effective date to August 1, 2026, ADEQ will avoid any mid-year change in calculation for the 2025 adjustment and cleanly implement the new method for the next cycle. This timing is needed to maintain continuity in how fees are calculated within a given annual cycle and to provide sufficient notice to stakeholders.

8. 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:

ADEQ reviewed an actuarial audit conducted by Taylor & Mulder, Inc. (T&M), consisting of an actuarial review of fees charged in connection with the Solid Waste Division of ADEQ. The Agency relied on the findings of this report to affirm the soundness and accuracy of CPI calculations used in determining fee levels. A copy of the report is available for review at ADEQ, 1110 W. Washington, Phoenix, AZ 85007.

The new methodology is further based on internal analysis of CPI data and fee outcomes contained in a spreadsheet comparison of methodologies (“WQD 2023–2025 CPI Calculations Comparison”), which is part of the rulemaking record. The data and calculations from this internal analysis are summarized in the Economic Impact Statement and are available from the agency contact person upon request. All underlying CPI figures were obtained from official U.S. Bureau of Labor Statistics data for the Phoenix-Mesa-Scottsdale CPI-U index, as referenced in the rules.

9. 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

10. A summary of the economic, small business, and consumer impact:

The following discussion addresses each of the elements required for an Economic, Small Business, and Consumer Impact Statement (EIS) under A.R.S. § 41-1055.

A. Identification of the rule making

This rulemaking (1) adjusts Underground Injection Control (UIC) annual waste disposal fees downward from the nearest \$10 to the nearest 100th of a cent and the nearest 10th of a cent, respectively; (2) clarifies calculation of Aquifer Protection Permit (APP) fees by adding a statutory reference; (3) removes outdated rules and statutory references; (4) corrects minor typographical errors, and (5) results in modest fee adjustments, with fees overwhelming being adjusted to be slightly less than under the previous method. Issues (1) through (4) are very unlikely to result in any economic, small business, or consumer impact and are therefore not addressed in this EIS, nor will they be in the final EIS. Issue (5) will result in an economic, small business, or consumer impact, and is thus addressed below:

B. A brief summary of the EIS

The overall impact of the rule changes should be minimal or impactful. “Minimal” is an impact of less than \$10,000.00. “Impactful” means not quantifiable but still a recognizable and important impact.

In an analysis of 185 species of water quality permits/authorizations issued by ADEQ, only 5 of 185 types of fees are slightly increased due to this change; the other 180 types of fees saw a reduction. All five of the increases are associated with transfer of existing permits from one party to another. Notably, permit transfer fees are the least expensive class of fees for each permit type. Specifically, the five increases are:

I. Aquifer Protection Program (APP) Type 2 and 3 General Permits - Transfer of Permit Authorization

The previous rounded calculation of \$70.00 becomes \$73.43, an increase of \$3.43 (4.9% change).

II. Aquifer Protection Program (APP) Type 4 General Permit - Transfer of Discharge Authorization

The previous rounded calculation of \$70.00 becomes \$73.43, an increase of \$3.43 (4.9% change).

III. Arizona Pollutant Discharge Elimination System (AZPDES) Permits - Transfer of Permit Authorization

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The previous rounded calculation of \$70.00 becomes \$73.43, an increase of \$3.43 (4.9% change).

IV. Reclaimed Water General Permits - Transfer of Permit Authorization

The previous rounded calculation of \$70.00 becomes \$73.43, an increase of \$3.43 (4.9% change).

V. Underground Injection Control (UIC) Class V Well Transfer of Permit Authorization

The previous rounded calculation of \$100.00 becomes \$102.92, an increase of \$2.92 (2.9% change).

The revision is intended strictly to align all future fee adjustments to be at or less than CPI adjustments allowed under statute. The purpose of this change is not to change the amount of fee generated revenue of ADEQ's water quality programs, but to guarantee that ADEQ programs abide by A.R.S. § 41-1008(A)(3), which prohibits agencies from increasing fees by more than the percentage change in the average CPI unless reviewed by the Joint Legislative Budget Committee (JLBC).

For all WQD fee categories, the difference between the two methods is minor. Notably, the point-to-point methodology, on average, is on the order of half a percent or less than the annual average methodology across major fee categories, when comparing CPI change between 2023 and 2025. With the point-to-point methodology, no fee is increased beyond the CPI; instead, the change prevents minor over-collections that could have occurred if the previous annual average method remained in use.

This rule is necessary to confirm statutory compliance and correct application of inflation indices, providing for fair and predictable fee adjustments as intended by A.R.S. § 41-1008. The adopted calculation method is the least burdensome means available, requiring only a technical correction with minor or negligible financial impact for any party. The change does not impose additional financial burdens on agencies, political subdivisions, small businesses, or consumers. Specifically, in the instance of CPI change between 2023 and 2025, the regulated community would benefit slightly from the average reduced fee increases resulting from the methodological correction, with the effect being negligible at the level of individual permits or annual fees.

The following information provides specific details on the parties that may be affected by this change.

C. An identification of the persons who will be directly affected by, bear the costs of or directly benefit from the proposed rule making

ADEQ identifies the Regulated Community, small business, and consumers as persons or groups who will be affected by this rule. A cost/benefit analysis is given for each person or group below.

D. Cost/Benefit Analysis

ADEQ: No additional ADEQ staff time, resources, or technology changes are required. The fee rounding and calculation formulas are simply adjusted; all required CPI indices are publicly available and easily obtained.

Regulated Community: There are no new compliance activities or reporting requirements for permittees or applicants. The process for annual fee notification, billing, and collection remains unchanged in all substantive respects. The new methodology reduces the calculation steps needed to determine CPI changes, making results easier to replicate and increasing transparency and certainty in the fee adjustment process.

Small Businesses: The rule is not expected to affect the formation, continuation, or viability of small businesses within Arizona. Existing permittees and applicants may experience negligible to no material change in cost burdens or operational requirements.

Consumers: The rule has no expected adverse impacts on consumers. The minor change in fee adjustment methodology should not alter service quality or ADEQ program availability. No consumer would be deprived of regulatory protection, health standards, or process transparency because of this methodology revision.

E. A general description of the probable impact on private and public employment in businesses, agencies and political subdivisions of this state directly affected by the proposed rule making

This rule will have minimal to no impact on employment in Arizona. Fees are currently being collected, and adjusted for inflation; this change merely alters the methodology for calculating inflation.

F. A statement on the probable impact of the proposed rule making on small businesses

Pursuant to A.R.S. § 41-1055(B)(5), ADEQ must discuss items (I) through (IV) to address the probable impacts of this rulemaking on small businesses. Note that by statutory definition, a "small business," is a "concern, including its affiliates, which is independently owned and operated, which is not dominant in its field and which employs fewer than one hundred full-time employees or which had gross annual receipts of less than four million dollars in its last fiscal year. For purposes of a specific rule, an agency may define small business to include more persons if it finds that such a definition is necessary to adapt the rule to the needs and problems of small businesses and organizations." A.R.S. § 41-1001.

I. An identification of the small businesses subject to the proposed rule making

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Any businesses that pay Water Quality Protection Services fees are subject to the rulemaking. Examples of such businesses are, e.g., permitted wastewater treatment facilities and mines.

II. The administrative and other costs required for compliance with the proposed rule making

This rule adds no administrative or compliance costs that don't already exist; it merely changes the methodology for calculating CPI.

III. Addressing the following methods prescribed in section 41-1035 that the agency may use to reduce the impact on small businesses,

1. Establishing less stringent compliance or reporting requirements in the rule for small businesses.

This rule does not involve reporting requirements, nor introduce new compliance requirements.

2. Establishing less stringent schedules or deadlines in the rule for compliance or reporting requirements for small businesses.

This rule does not involve reporting requirements, nor introduce new compliance requirements.

3. Consolidating or simplifying the rule's compliance or reporting requirements for small businesses.

This rule does not involve reporting requirements, nor introduce new compliance requirements.

4. Establishing performance standards for small businesses to replace design or operational standards in the rule.

This rule does not involve performance, design, or operational standards.

IV. The probable cost and benefit to private persons and consumers who are directly affected by the proposed rule making

The rule does not introduce new fees or raise existing fee caps, nor does it alter ADEQ operations, service delivery, or the obligations of the regulated community. A benefit to persons affected by the rulemaking is a fair and predictable model for fee adjustments, along with creating safeguards to prevent minor over-collectors that could have occurred if the prior annual average method remained in use. Added costs are negligible, with the vast majority of fee categories seeing a fee reduction under the new calculation.

G. A statement of the probable effect on state revenues

This rule will have minimal to no effect on state revenues. Fees are currently being collected, and adjusted for inflation; this change merely alters the methodology for calculating inflation.

H. A description of any less intrusive or less costly alternative methods of achieving the purpose the rule making

The alternative approach is the CPI-rounding methodology that ADEQ currently employs, and is changing via this rulemaking. The current approach is not less intrusive or costly, and it risks violating A.R.S. § 41-1008(A)(3), which prohibits agencies from increasing a fee by more than the percentage change in the average CPI since the last fee increase without obtaining approval from the joint legislative budget committee. The new CPI methodology instituted with this rule is the least intrusive and costly method to achieve the purpose of the rulemaking.

I. A description of any data on which a rule is based with a detailed explanation of how the data was obtained and why the data is acceptable data.

See Section 8 above.

J. Statement of compliance with A.R.S. § 41-1008 (fees).

ADEQ's rule complies with the requirements of A.R.S. § 41-1008. This rule does not establish any new fees. The existing fees are expressly authorized by statute, and this change ensures that fee increases do not rise above the average consumer price index since the fee was last changed.

11. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:

Change 1

In the Notice of Proposed Rulemaking, Full Text of the Rule, cover page section, there was a typo indicating that R18-11-113 was to be repealed, rather than R18-14-113 (outside of the cover page, R18-14-113 was correctly identified in the rest of the rule text):

~~R18-11-113-~~ Implementation

This error has been corrected:

~~R18-14-113-~~ Implementation

Change 2

Based on consideration of a public comment, ADEQ has modified the changes to R18-14-101, by increasing the detail

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in the definition of “complex modification” located therein. The new language is below:

3. “Complex modification” means:
 - a. A revision of an individual Aquifer Protection Permit for a facility within the mining sector due to any of the following:
 - i. A new tailing impoundment, leach pad or stockpile, or process solution impoundment or conveyance required to have an individual permit, unless this new facility is within an approved passive containment capture zone under A.R.S. § 49-243(G)(1);
 - ii. The expansion of the footprint of any tailing impoundment, leach pad or stockpile, or process solution impoundment or conveyance if the expanded facility is not located within a passive containment capture zone under A.R.S. § 49-243(G)(1), and the expansion either requires expansion of the pollutant management area and a new or relocated point of compliance, or extends over a geologic unit of higher hydraulic conductivity than the original facility, unless the original facility is lined and the same liner is extended to cover the entire expansion area;
 - iii. A new or expanded waste rock pile is not considered to be a discharging facility under A.R.S. § 49-241(B) and may be categorized as a “complex modification” for the purposes of this Article only if the department determines that it otherwise qualifies as a discharging facility and is not exempted under A.R.S. § 49-250(B), is located outside of a passive containment capture zone under A.R.S. § 49-243(G)(1), and either requires expansion of the pollutant management area and a new or relocated point of compliance or extends over a geologic unit of higher hydraulic conductivity than the original facility.

12. An agency’s summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:

Comment One

ADEQ received a comment regarding the CPI changes (R18-14-102, R18-14-104, R18-14-108, R18-14-109, R18-14-110, R18-14-111, R18-14-112, R18-14-202) from the City of Phoenix:

1. The City’s Budget and Research Department has reviewed this proposed change in the CPI calculation. A determination on how this revised fee calculation will impact City operations is difficult to assess based on the extreme variability of the proposed approach. The example of the proposed methodology provided by ADEQ on page 285 of the AAR comparing the CPI change between FY 2023 and FY 2025 illustrates a benefit for payees as the fee increase rate decreased from 4.11% to 2.93%. However, when comparing FY 2020 to FY 2022, the new point-to-point method would result in a fee increase rate from 12.01% to 18.37%. Switching from a 12-month average to a single-month comparison (June-to-June) makes the fee adjustment more sensitive to short-term fluctuations and creates uncertainty and unpredictability for permittees.
 - a. The City recommends ADEQ return to utilizing the 12-month average rather than the proposed point-to-point index levels. The United States Bureau of Labor Statistics (BLS) emphasizes percent changes as the primary and most meaningful measure of inflation because percent changes better reflect actual inflation over the period, avoid misinterpretation of index levels, and are the standard metric used by BLS. ADEQ has not provided justification for deviating from BLS best practices.
 - b. The City does not agree with the point to point method. However, if ADEQ continues forward with this proposal, the City requests that ADEQ implement limits for year-to-year CPI-based fee changes to a defined range (such as no more than $\pm X\%$ deviation from the long-term).
2. Because the June 30 CPI value is not published until early August, the final CPI adjustment is not known at the start of the City’s new fiscal year on July 1. This timing misalignment creates budgeting challenges for the City with fixed fiscal year deadlines. Please consider incorporating a CPI-forecasting or predictive metric to provide stakeholders with earlier visibility into expected fee adjustments and to better support entities operating under strict fiscal year timelines. Alternatively, please consider calculating the updated fee changed based on earlier available data.

ADEQ Response to Comment One

1 & 1(a)

ADEQ appreciates the City of Phoenix’s comments regarding the CPI calculation methodology. While a 12-month average is common in certain statistical contexts, the Bureau of Labor Statistics (BLS) utilizes both point-to-point and annual average methods across its publications, depending on the analytical purpose. The BLS does not identify either as inherently superior, instead advising users to select the measure appropriate for the purpose. Additionally, point-to-point comparisons are routinely published in BLS’s core CPI releases as a standard measure for year-over-year price change.

ADEQ recognizes that point-to-point measures can exhibit short-term variability compared with annual averages, which smooth short-term changes. However, this smoothing can shift a portion of the recognition of price increases into the following year, rather than reflecting them fully in the year in which they occur. Depending on the base year used in calculations, an argument can be made that the annual average approach could result in a higher permitted

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adjustment and could exceed the limits established under Arizona Revised Statutes for CPI-based fee changes. The point-to-point methodology reflects more current market conditions while aligning with statutory requirements by capturing price movements within the intended time frame.

1(b)

ADEQ has determined that the inclusion of a cap or limit on CPI-based fee adjustments for these fees would be inappropriate. Placing restrictions on annual adjustments could prevent fee levels from keeping pace with actual inflation and hinder ADEQ's ability to recover program costs and sustain required service levels.

2

ADEQ understands that the June CPI is not available at the start of the fiscal year and recognizes the budgeting challenges that fee changes can present. The June CPI is typically released in mid-July and will continue to serve as the reference for annual fee updates. There are many available CPI prediction approaches that may be utilized during budget development.

Comment Two

ADEQ received the following comment regarding changes to R18-14-101 from the Arizona Mining Association:

As noted in the preamble to ADEQ's notice of proposed rulemaking (32 Ariz. Admin. Reg. 285), HB 2406 (2022 2nd Reg. Sess. Chp. 204 § 3, effective September 24, 2022), made certain modifications to A.R.S. § 49-241.02. Among other things, HB 2406 removed the statutory definition of "complex modification" for the mining sector.

However, this action did not mean that all mining sector APP amendments/revisions should now be considered as "complex modifications" for purposes of ADEQ's water quality fees rule. Rather, this meant that the water quality fee rule, including in ADEQ's implementation of the rule, should include an appropriate definition of "complex modification" as applied to the mining sector to avoid the potential imposition of "complex modification" to all mining sector permit amendments/revisions. Without such a clarification, all amendments/revisions to mining sector APPs would be classified as "complex modifications", even if considered "minor" or "other" amendments under A.A.C. R18-9-A211, and, therefore, inappropriately subject to much higher maximum fees.

Consistent with this background and to avoid unfair imposition of higher maximum fees to all proposed amendments/revisions to individual APPs submitted by the mining sector, the AMA respectfully requests that ADEQ revise the regulatory definition of "complex modification" in R18-14-101(3)(a) to track the statutory definition of "complex modification" as it existed prior to the adoption of HB 2406.

ADEQ Response to Comment Two

ADEQ appreciates the Arizona Mining Association's (AMA) comments regarding adding clarity to R18-14-101. ADEQ did not intend to reclassify all amendments/revisions to mining sector individual APPs as "complex modifications" categorically. ADEQ acknowledges AMA's concerns that the change to R18-14-101(3)(a) could be construed as doing just that, and agrees that more clarity is required.

ADEQ has incorporated the language (with minor formatting changes) of prior A.R.S. § 49-241.02(F)(1), defining a "complex modification," into the definition at R18-14-101(3)(a).

13. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

Not applicable

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:

Not applicable. These rules pertain to fees for water quality protection services (Article 1), public water system design review (Article 2), and certified operators (Article 3). The requirements for a permit, license, or agency authorization (for which ADEQ charges such fees) are established elsewhere in rule, specifically 18 A.A.C. 9.

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:

Not applicable. While the federal Clean Water Act and Safe Drinking Water Act are applicable to some of ADEQ's water quality programs, those federal laws do not specify funding structures for the programs. No changes in this rulemaking are more stringent than federal law.

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:

Not applicable

14. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

Not applicable

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15. 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:

Not applicable

16. The full text of the rules follows:

TITLE 18. ENVIRONMENTAL QUALITY

**CHAPTER 14. DEPARTMENT OF ENVIRONMENTAL QUALITY
PERMIT AND COMPLIANCE FEES**

ARTICLE 1. WATER QUALITY PROTECTION FEES

Section

- R18-14-101. Definitions
- R18-14-102. Hourly Rate and Maximum Fees for Water Quality Protection Services
- R18-14-104. Annual Fees for Water Quality Protection Services Subject to Hourly Rate Fee
- R18-14-106. Reconsideration of a Bill; ~~Appeal Process~~
- R18-14-108. APP Water Quality Protection Services Flat Fees
- R18-14-109. AZPDES Water Quality Protection Services Flat Fees
- R18-14-110. Reclaimed Water Flat Fees
- R18-14-111. UIC Flat Fees
- R18-14-112. Other Flat Fees
- R18-14-113. ~~Implementation Repealed~~

ARTICLE 2. PUBLIC WATER SYSTEM – DESIGN REVIEW FEES

Section

- R18-14-202. Flat Rate Fees

ARTICLE 3. CERTIFIED OPERATOR FEES

Section

- R18-14-301. Certified Operator Fees

ARTICLE 1. WATER QUALITY PROTECTION FEES

R18-14-101. Definitions

1. “APP” ~~No Change~~ means an Aquifer Protection Permit.
2. “AWP” means Advanced Water Purification.
3. “Complex modification” means:
 - a. A revision of an individual Aquifer Protection Permit for a facility within the mining sector as ~~defined in A.R.S. § 49-241.02(F)(1); and~~ due to any of the following:
 - i. A new tailing impoundment, leach pad or stockpile, or process solution impoundment or conveyance required to have an individual permit, unless this new facility is within an approved passive containment capture zone under A.R.S. § 49-243(G)(1);
 - ii. The expansion of the footprint of any tailing impoundment, leach pad or stockpile, or process solution impoundment or conveyance if the expanded facility is not located within a passive containment capture zone under A.R.S. § 49-243(G)(1), and the expansion either requires expansion of the pollutant management area and a new or relocated point of compliance, or extends over a geologic unit of higher hydraulic conductivity than the original facility, unless the original facility is lined and the same liner is extended to cover the entire expansion area;
 - iii. A new or expanded waste rock pile is not considered to be a discharging facility under A.R.S. § 49-241(B) and may be categorized as a “complex modification” for the purposes of this Article only if the department determines that it otherwise qualifies as a discharging facility and is not exempted under A.R.S. § 49-250(B), is located outside of a passive containment capture zone under A.R.S. § 49-243(G)(1), and either requires expansion of the pollutant management area and a new or relocated point of compliance or extends over a geologic unit of higher hydraulic conductivity than the original facility.
 - b. A revision of an individual Aquifer Protection Permit for a facility within a non-mining sector due to any of the following:
 - i. An expansion of an existing pollutant management area requiring a new or relocated point of compliance;
 - ii. A new subsurface disposal including injection or recharge, or new wetlands construction;
 - iii. Submission of data indicating contamination, or identification of a discharging facility or pollutants not included in previous applications that requires reevaluation of BADCT; or
 - iv. Closure of a facility that cannot meet the clean closure requirements of A.R.S. § 49-252 and requires post-closure care, monitoring, or remediation.

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4. “Courtesy review” means a design review service that the Department performs within 30 days from the date of receiving the submittals, of the 60 percent completion specifications, design report, and construction drawings for a sewage collection system.
5. “Priority review” means a design review service for an APP Type 4 permit application that the Department completes using not more than 50 percent of the total review time-frame for the applicable Type 4 permit application as specified in 18 A.A.C. 1, Table 10.
6. “Request” means a written application, notice, letter, or memorandum submitted by an applicant to the Department for water quality protection services. The Department considers a request made on the date it is received by the Department.
7. “Review hours” means the hours or portions of hours that the Department’s staff spends on a request for a water quality protection service. Review hours include the time spent by the project manager and technical review team members, and if requested by the applicant, the supervisor or unit manager.
8. “Review-related costs” means any of the following costs applicable to a specific request for water quality protection service:
 - a. Presiding officer services for public hearings on a permitting decision,
 - b. Court reporter services for public hearings on a permitting decision,
 - c. Facility rentals for public hearings on a permitting decision,
 - d. Charges for laboratory analyses performed during the review, and
 - e. Other reasonable and necessary review-related expenses documented in writing by the Department and agreed to by an applicant.
9. “Standard modification” means an amendment to an individual Aquifer Protection Permit that is not a complex modification.
10. “UIC” means Arizona’s Underground Injection Control Program.
11. “Water quality protection service” means:
 - a. Reviewing a request for an APP determination of applicability;
 - b. Pre-application consultation, issuing, renewing, amending, modifying, transferring, or denying an aquifer protection permit, an AWP permit, an AWP demonstration permit, an AZPDES permit, a UIC permit, a UIC application for an aquifer exemption or an injection depth waiver or a reclaimed water permit;
 - c. Reviewing supplemental information required by a permit condition, including annual reports and closure for an APP;
 - d. Performing an APP clean closure plan review;
 - e. Issuing or denying a Certificate of Approval for Sanitary Facilities for a Subdivision;
 - f. Registering or transferring registration of a dry well;
 - g. Conducting a site visit;
 - h. Reviewing proprietary and other reviewed products under A.A.C. R18-9-A309(E);
 - i. Reviewing, processing, and managing documentation related to an AZPDES general permit, including a notice of intent, notice of termination, certificate of no exposure, and waiver;
 - j. Registering and reporting land application of biosolids; or
 - k. Pretreatment program review, inspection, or audit;
 - l. Reviewing and commenting on AWP permit and demonstration permit materials, including but not limited to, materials submitted to the Department pursuant to A.A.C. R18-9-C814, A.A.C. R18-9-C815, and A.A.C. R18-9-F835.

R18-14-102. Hourly Rate and Maximum Fees for Water Quality Protection Services

- A. The Department shall assess and collect an hourly rate fee for a water quality protection service, except for APP minor permit amendments specified under A.A.C. R18-9-A211(C)(1), (2) and (3) and A.A.C. R18-9-B906(B), unless a flat fee is otherwise designated in this Article, and UIC minor modifications specified under A.A.C. R18-9-C633(A).
- B. Hourly rate fees. The Department shall calculate the fee using an hourly rate of \$174, adjusted annually under subsection (D), except for the UIC program, where the Department shall calculate the fee using an hourly rate of \$145, and the AWP program, where the Department shall calculate the fee using an hourly rate of \$223, both adjusted annually under subsection (D). These rates shall then be multiplied by the number of review hours to provide a water quality protection service, plus any applicable review-related costs, up to the maximum fee specified in subsection (C), adjusted annually under subsection (D).
- C. Maximum fees for a water quality protection service assessed at an hourly rate in Table 1, adjusted annually under subsection (D).
- D. ~~The Director shall adjust the hourly rate and maximum fees listed in subsections (B) and (C) every August 1 to the nearest \$10, beginning August 4, 2023, by multiplying the hourly rate or maximum fee by the Consumer Price Index (CPI) for the most recent year, and then dividing by the CPI for the year 2023. The CPI for any year is the average of the Consumer Price Index for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, as of the close of the 12-month period ending on June 30 of that year. Beginning August 1, 2026, the Director shall adjust the hourly rate and maximum fees listed in subsections (B) and (C) annually by multiplying the hourly rate and maximum fees by the June Consumer Price Index (CPI) for the most recent year, then dividing by the June CPI for the year 2023, and then rounding down to the nearest cent. The June CPI for any year is the CPI for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, for June of that year.~~

R18-14-104. Annual Fees for Water Quality Protection Services Subject to Hourly Rate Fee

- A. Annual Registration Fees. The annual registration fee required under A.R.S. § 49-242 is in Table 2, adjusted annually under subsection (F). If a site meets the criteria of A.R.S. § 49-242(F), calculate the annual registration fee accordingly.
- B. The Department shall assess an annual fee for an AZPDES related water quality protection service subject to an hourly rate fee as listed in Table 3, adjusted annually under subsection (F).
- C. The Department shall assess an annual fee of \$714, adjusted annually under subsection (F) for an individual reclaimed water permit.
- D. The Department shall assess an annual fee and an annual waste disposal fee as applicable to UIC regulated facilities, subject to an hourly rate fee, as listed in Tables 3.1 and 3.2, adjusted annually under subsection (F).

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- E. The Department shall assess an annual fee of \$101,250, adjusted annually under subsection (F), for AWP permits and for AWP Demonstration permits.
- F. The Director shall adjust the annual fees listed in subsections (A), (B), (C), (D), and (E) every August 1, to the nearest \$10, beginning August 4, 2023, by multiplying the annual fee by the Consumer Price Index (CPI) for the most recent year, and then dividing by the CPI for the year 2023. The CPI for any year is the average of the Consumer Price Index for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, as of the close of the 12-month period ending on June 30 of that year. Beginning August 1, 2026, the Director shall adjust the annual fees listed in subsections (A), (B), (C), (D), and (E) annually by multiplying the annual fees by the June Consumer Price Index (CPI) for the most recent year, then dividing by the June CPI for the year 2023, and then rounding down to the nearest cent; except for the annual waste disposal fees applicable to class VI UIC regulated facilities in Table 3.1, which shall be rounded to the nearest 100th of a cent and the nearest 10th of a cent, respectively. The June CPI for any year is the CPI for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, for June of that year.

R18-14-106. Reconsideration of a Bill; ~~Appeal Process~~

- A. A person may seek review of a bill by filing a written request for reconsideration with the Director.
 - 1. The request shall specify, in detail, why the bill is in dispute and shall include any supporting documentation.
 - 2. The written request for reconsideration shall be delivered to the Director in person, by mail, or by facsimile on or before the payment due date or within 35 days of the invoice print date, whichever is greater.
- B. The Director shall make a final decision on the request for reconsideration of the bill and mail a final written decision to the person within 20 working days after the date the Director receives the written request.

R18-14-108. APP Water Quality Protection Services Flat Fees

- A. The Department shall assess a flat fee for an APP water quality protection service listed in this Section.
- B. Type 1 General Permits. No fee is required, except as stated in A.A.C. R18-9-A304(A)(2).
- C. Fees for Type 2 and Type 3 General Permits and related water quality protection services are listed in Table 4, adjusted annually under subsection (E). For purposes of this Section, “complex” is defined in A.A.C. R18-1-501(9). “Standard” means any permit that does not meet the definition of complex.
- D. Fees for Type 4 General Permits and related water quality protection services are listed in Table 5, adjusted annually under subsection (E).
- E. The Director shall adjust the APP water quality protection services flat fees listed in subsections (C) and (D) every August 1, to the nearest \$10, beginning August 4, 2023, by multiplying the APP water quality protection services flat fee by the Consumer Price Index (CPI) for the most recent year, and then dividing by the CPI for the year 2023. The CPI for any year is the average of the Consumer Price Index for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, as of the close of the 12-month period ending on June 30 of that year. Beginning August 1, 2026, the Director shall adjust the APP water quality protection services flat fees listed in subsections (C) and (D) annually by multiplying the APP water quality protection services flat fees by the June Consumer Price Index (CPI) for the most recent year, then dividing by the June CPI for the year 2023 and then rounding down to the nearest cent. The June CPI for any year is the CPI for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, for June of that year.

R18-14-109. AZPDES Water Quality Protection Services Flat Fees

- A. The Department shall assess a flat fee for an AZPDES water quality protection service, as described in Table 6, adjusted annually under subsection (D).
- B. In addition to the requirements in A.A.C. R18-9-A907(B), a draft permit will state the category and fee assigned to the permit and the factors for establishing the fee, according to Table 6. Any person may comment on the fee category assignment as part of the public comment period described in A.A.C. R18-9-A908.
- C. Annual Fee. The Department shall bill an annual fee, as described in Table 6, adjusted annually under subsection (D), to permittees who have not filed a notice of termination for an applicable general permit.
- D. The Director shall adjust the AZPDES water quality protection services flat fees listed in subsections (C) and (D) every August 1, to the nearest \$10, beginning August 4, 2023, by multiplying the AZPDES water quality protection services flat fee by the Consumer Price Index (CPI) for the most recent year, and then dividing by the CPI for the year 2023. The CPI for any year is the average of the Consumer Price Index for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, as of the close of the 12-month period ending on June 30 of that year. Beginning August 1, 2026, the Director shall adjust the AZPDES water quality protection services flat fee and annual fees listed in subsections (A) and (C) annually by multiplying the AZPDES water quality protection services flat fees by the June Consumer Price Index (CPI) for the most recent year, then dividing by the June CPI for the year 2023, and then rounding down to the nearest cent. The June CPI for any year is the CPI for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, for June of that year.

R18-14-110. Reclaimed Water Flat Fees

- A. The Department shall assess a flat fee for a reclaimed water quality protection service as listed in Table 7, adjusted annually under subsection (B). For purposes of this Section, “complex” is defined in A.A.C. R18-1-501(9). “Standard” means any permit that does not meet the definition of complex.
- B. The Director shall adjust the reclaimed water quality protection services flat fees listed in subsections (A) every August 1, to the nearest \$10, beginning August 4, 2023, by multiplying the reclaimed water quality protection services flat fee by the Consumer Price Index (CPI) for the most recent year, and then dividing by the CPI for the year 2023. The CPI for any year is the average of the Consumer Price Index for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of

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Labor, as of the close of the 12-month period ending on June 30 of that year. Beginning August 1, 2026, the Director shall adjust the reclaimed water quality protection services flat fees listed in subsection (A) annually by multiplying the reclaimed water quality protection services flat fees by the June Consumer Price Index (CPI) for the most recent year, then dividing by the June CPI for the year 2023 and then rounding down to the nearest cent. The June CPI for any year is the CPI for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, for June of that year.

R18-14-111. UIC Flat Fees

- A. The Department shall assess a flat fee for the following UIC regulated facility services, adjusted annually under subsection (B):
1. Well installation in an Area Permit, \$200 per well installation.
 2. Class V authorization by rule, \$200 per well inventory.
 3. Class V authorization by rule, \$100 per well transfer.
- B. ~~The Director shall adjust the UIC regulated facility services flat fees listed in subsections (A) every August 1, to the nearest \$10, beginning August 4, 2023, by multiplying the UIC regulated facility services flat fee by the Consumer Price Index (CPI) for the most recent year, and then dividing by the CPI for the year 2023. The CPI for any year is the average of the Consumer Price Index for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, as of the close of the 12-month period ending on June 30 of that year. Beginning August 1, 2026, the Director shall adjust the UIC regulated facility services flat fees listed in subsection (A) annually by multiplying the UIC regulated facility services flat fees by the June Consumer Price Index (CPI) for the most recent year, then dividing by the June CPI for the year 2023 and then rounding down to the nearest cent. The June CPI for any year is the CPI for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, for June of that year.~~

R18-14-112. Other Flat Fees

Flat fees. The Department shall assess a flat fee for the following water quality protection services:

1. Certificate of Approval for Sanitary Facilities for Subdivisions.
 - a. Subdivision with public sewerage system: \$1,142, adjusted annually under subsection (2), for every increment of 150 lots or less;
 - b. Subdivision with individual sewerage system:
 - i. \$714, adjusted annually under subsection (2), for less than 10 lots;
 - ii. \$1,427, adjusted annually under subsection (2), for greater than 10 lots but less than 50 lots;
 - iii. \$1,427, adjusted annually under subsection (2), for each additional increment of 50 lots or less.
 - c. If water from a central system is not provided to the lot, the fee is one and one-half the applicable fee stated in subsection (3)(a) or (b).
 - d. Condominium subdivision: \$1,427, adjusted annually under subsection (2), for every increment of 150 units or less.
2. ~~The Director shall adjust the water quality protection services flat fees listed in subsections (1) every August 1, to the nearest \$10, beginning August 4, 2023, by multiplying the water quality protection services flat fee by the Consumer Price Index (CPI) for the most recent year, and then dividing by the CPI for the year 2023. The CPI for any year is the average of the Consumer Price Index for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, as of the close of the 12-month period ending on June 30 of that year. Beginning August 1, 2026, the Director shall adjust the water quality protection services flat fees listed in subsection (1) annually by multiplying the water quality protection services flat fees by the June Consumer Price Index (CPI) for the most recent year, then dividing by the June CPI for the year 2023 and then rounding down to the nearest cent. The June CPI for any year is the CPI for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, for June of that year.~~

R18-14-113. Implementation Repealed

The fees in this Article apply on July 1, 2011. For fees related to the AZPDES program:

1. ~~A person shall submit the applicable fee when requesting a water quality protection service as specified in an AZPDES General Permit or in 18 A.A.C. 9, Article 9; and~~
2. ~~A person is responsible for paying the annual fee for an AZPDES general permit, even if the person filed for coverage before the effective date of these rules.~~

ARTICLE 2. PUBLIC WATER SYSTEM – DESIGN REVIEW FEES

R18-14-202. Flat Rate Fees

- A. The Department shall assess and collect a flat rate fee for design review services for public water systems.
- B. Design criteria for public water systems are specified in 18 A.A.C. 4 and 18 A.A.C. 5.
- C. An applicant shall submit public water system design review fees with an application for an Approval to Construct, as specified in 18 A.A.C. 5, Article 5.
- D. The flat rate fees for a design review service:
1. Are established in Table 1, adjusted annually under subsection (I), are assessed on a per-unit basis where applicable, and are cumulative unless otherwise specified in this Article;
 2. Shall be paid by cash, check, cashier's check, money order, or any other method acceptable to the Department; and
 3. Shall be paid in full before the Department issues approval of an application.
- E. The Department shall refund 50 percent of the application fee paid by an applicant if, during the administrative completeness review time-frame period, the applicant:
1. Fails to respond in a reasonably timely manner, as set forth in A.A.C. R18-1-507, to a notice of administrative deficiencies requesting additional information under A.A.C. R18-1-503, and the Department denies the application; or

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- 2. Withdraws the application.
- F. If an application is denied under A.A.C. R18-1-507 after the end of the administrative completeness review time-frame, the Department shall retain the flat fee paid by the applicant.
- G. If an applicant requests priority review, the Department shall approve or deny the request. When determining whether to approve a priority review request, the Department shall consider the complexity of the project and the Department's current work load. If priority review is approved by the Department, the applicant shall pay the priority review fee specified in Table 1, adjusted annually under subsection (I).
- H. State agencies are exempt from all fees imposed under this Article pursuant to A.R.S. § 49-353(A)(2)(b).
- I. ~~The Director shall adjust the design review services fees listed in Table 1 every August 1, to the nearest \$10, beginning August 4, 2023, by multiplying the design review services fee by the Consumer Price Index (CPI) for the most recent year, and then dividing by the CPI for the year 2023. The CPI for any year is the average of the Consumer Price Index for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, as of the close of the 12-month period ending on June 30 of that year. Beginning August 1, 2026, the Director shall adjust the design review services fees listed in Table 1 annually by multiplying the design review services fees by the June Consumer Price Index (CPI) for the most recent year, then dividing by the June CPI for the year 2023 and then rounding down to the nearest cent. The June CPI for any year is the CPI for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, for June of that year.~~

ARTICLE 3. CERTIFIED OPERATOR FEES

R18-14-301. Certified Operator Fees

- A. Definition terms from A.A.C. R18-5-101 apply to this Article.
- B. The Department shall assess and collect a flat rate fee for a certification or renewal under the operator certification program.
- C. A person shall submit the applicable fee when requesting a certification or renewal under 18 A.A.C. 5, Article 1, as described below:
 - 1. An applicant that seeks new certification shall submit a \$87 fee, adjusted annually under subsection (D), per certification.
 - 2. An operator that has not held a lower grade level for the required amount of time requests the Department's determination on experience and education in order to be admitted to a higher grade certification examination shall submit a fee of \$201, adjusted annually under subsection (D), per application.
 - 3. An applicant that requests a certificate based on reciprocity with another jurisdiction shall submit a fee of \$334, adjusted annually under subsection (D), per application.
 - 4. An operator submitting a certificate renewal shall submit a \$201, adjusted annually under subsection (D), fee for each certificate. If the operator has multiple certificates, the first certificate is \$201, adjusted annually under subsection (D), and each additional certificate with the same expiration date is \$67, adjusted annually under subsection (D).
- D. ~~The Director shall adjust the certification or renewal fees listed in subsection (C) every August 1, to the nearest \$10, beginning August 4, 2023, by multiplying the certification or renewal fee by the Consumer Price Index (CPI) for the most recent year, and then dividing by the CPI for the year 2023. The CPI for any year is the average of the Consumer Price Index for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, as of the close of the 12-month period ending on June 30 of that year. Beginning August 1, 2026, the Director shall adjust the certification or renewal fees listed in subsection (C) annually by multiplying certification or renewal fees by the June Consumer Price Index (CPI) for the most recent year, then dividing by the June CPI for the year 2023 and then rounding down to the nearest cent. The June CPI for any year is the CPI for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, for June of that year.~~

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NOTICES OF RULEMAKING DOCKET OPENING

Volume 32, Issue 26, June 26, 2026

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires an agency file a Notice of Rulemaking Docket Opening which outlines its rulemaking intentions under [A.R.S. § 41-1021](#).

A docket opening and Notice of Proposed Rulemaking are often filed at the same time and published in the same *Register* issue.

If a Notice of Proposed Rulemaking is not published in this *Register* that corresponds with a published docket in this week's issue, it simply means the agency has not filed the notice for consideration and public review.

An agency has one year from the publishing of this notice to propose a rule; after one year the docket expires.

Questions about the notice can be answered by the person listed in item #5 of the preamble.

Refer to item #6 in the preamble for information on how to comment on this notice.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF HEALTH SERVICES
CHILD CARE GROUP HOMES**

File Number: R26-95

1. Permission to proceed with this docket was granted under A.R.S. § 41-1039 by the governor on:

April 21, 2025

2. Title and its heading:

9, Health Services

Chapter and its heading:

3, Department of Health Services – Child Care Group Homes

Article and its heading:

- 1, General
- 2, Certification
- 3, Operating a Child Care Group Home
- 4, Program and Equipment Standards
- 5, Physical Environment Standards

Section number:

R9-3-101, R9-3-102, R9-3-103, R9-3-201, R9-3-202, R9-3-203, R9-3-205, R9-3-206, R9-3-207, R9-3-301, R9-3-302, R9-3-303, R9-3-304, R9-3-305, R9-3-306, R9-3-307, R9-3-309, R9-3-310, R9-3-401, R9-3-402, R9-3-403, R9-3-404, R9-3-405, Table 4.1, Table 4.2, R9-3-407, R9-3-408, R9-3-501, R9-3-502, R9-3-503, R9-3-504, R9-3-505, R9-3-506, R9-3-507, and R9-3-508

Sections may be added, amended, repealed, or renumbered as necessary.

3. The subject matter of the proposed rule:

Arizona Revised Statutes (A.R.S.) § 36-897.01 requires the Arizona Department of Health Services (Department) to "issue an initial certificate if the department determines that the applicant and the applicant's child care group home are in substantial compliance with the requirements of this article and department rules and the facility agrees to carry out a plan acceptable to the director to eliminate any deficiencies" and pursuant to A.R.S. § 36-897.02, "by rule shall establish standards of care for child care group home." The rules in Title 9, Chapter 3 provide definitions; application requirements for licensure, including fingerprinting; facility administration requirements; facility staff and training requirements; facility program and equipment requirements; and requirements for the physical plant of a facility. The Department, in its 2024 Child Care Group Homes five-year-review report, identified that the rules' effectiveness could be improved by making the rules more clear, concise, and understandable by updating cross-references, correcting grammatical errors, clarifying the language throughout the rules, and removing obsolete definitions and requirements. In addition, the Department plans to amend the rules to be more consistent with other rules and statutes. Any proposed changes will conform to the rulemaking format and style requirements of GRRC and the Office of the Secretary of State.

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- 4. **A citation to all published notices relating to the current proceeding:**
Not applicable

- 5. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Margaret Bernal
Title: Bureau Chief
Division: Division of Public Health Licensing Services
Address: Arizona Department of Health Services
Bureau of Child Care Licensing
150 N. 18th Ave., Suite 150
Phoenix, AZ 85007
Telephone: (602) 364-2539
Email: Margaret.Bernal@azdhs.gov
or
Name: Stacie Gravito
Title: Office Chief
Address: Arizona Department of Health Services
Office of Administrative Counsel and Rules
150 N. 18th Ave., Suite 540
Phoenix, AZ 85007
Telephone: (602) 542-1020
Fax: (602) 364-1150
Email: Stacie.Gravito@azdhs.gov

- 6. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
To be announced in future notices regarding the rulemaking.

- 7. **A timetable for agency decisions or other action on the current proceeding, if known:**
To be announced in future notices regarding the rulemaking.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY
ADMINISTRATION

File Number: R26-96

- 1. **Permission to proceed with this docket was granted under A.R.S. § 41-1039 by the governor on:**
May 20, 2026

- 2. **Title and its heading:**
18, Environmental Quality

Chapter and its heading:
1, Department of Environmental Quality – Administration

Article and its heading:
5, Licensing Time-Frames

Section number:
To be determined

- 3. **The subject matter of the proposed rule:**
The Arizona Department of Environmental Quality (ADEQ) is pursuing a regular rulemaking to amend Advanced Water Purification (AWP) rules in order to clarify and refine requirements as necessary to facilitate more effective implemen-

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tation of early program components by applicants. The rulemaking will streamline and clarify the regulatory structure through language that better reflects current technology and more clearly aligns requirements with industry standards in response to emerging comments and concerns in a rapidly evolving subject matter, while preserving the integrity and protectiveness of this program.

ADEQ has general authority to engage in this rulemaking under A.R.S. § 49-104(A)(1) and (8) and specific rulemaking authority through A.R.S. §§ 49-203(A)(7) and (9) and 49-211(B).

4. **A citation to all published notices relating to the current proceeding:**
Not applicable

5. **The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Jon Rezabek and Natalie Kilker
Title: Legal Specialists
Division: Water Quality
Address: Arizona Department of Environmental Quality
1110 W. Washington Ave.
Phoenix, AZ 85007
Telephone: (602) 771-8219 and (602) 771-0358
Email: awp@azdeq.gov
Website: https://www.azdeq.gov/awp

6. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
To be announced in the Notice of Proposed Rulemaking.

7. **A timetable for agency decisions or other action on the current proceeding, if known:**
To be announced on the website and in the Notice of Proposed Rulemaking.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY
ENVIRONMENTAL REVIEWS AND CERTIFICATION

File Number: R26-97

1. **Permission to proceed with this docket was granted under A.R.S. § 41-1039 by the governor on:**
May 20, 2026

2. **Title and its heading:**
18, Environmental Quality

Chapter and its heading:
5, Department of Environmental Quality – Environmental Reviews and Certification

Article and its heading:
1, Classification of Water and Wastewater Facilities and Certification of Operators
5, Minimum Design Criteria

Section number:
To be determined.

3. **The subject matter of the proposed rule:**
The Arizona Department of Environmental Quality (ADEQ) is pursuing a regular rulemaking to amend Advanced Water Purification (AWP) rules in order to clarify and refine requirements as necessary to facilitate more effective implementation of early program components by applicants. The rulemaking will streamline and clarify the regulatory structure through language that better reflects current technology and more clearly aligns requirements with industry standards in response to emerging comments and concerns in a rapidly evolving subject matter, while preserving the integrity and protectiveness of this program.

NOTICES OF RULEMAKING DOCKET OPENING

ADEQ has general authority to engage in this rulemaking under A.R.S. § 49-104(A)(1) and (8) and specific rulemaking authority through A.R.S. §§ 49-203(A)(7) and (9) and 49-211(B).

- 4. **A citation to all published notices relating to the current proceeding:**
Not applicable

- 5. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Jon Rezabek and Natalie Kilker
Title: Legal Specialists
Division: Water Quality
Address: Arizona Department of Environmental Quality
1110 W. Washington Ave.
Phoenix, AZ 85007
Telephone: (602) 771-8219 and (602) 771-0358
Email: awp@azdeq.gov
Website: https://www.azdeq.gov/awp

- 6. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
To be announced in the Notice of Proposed Rulemaking.

- 7. **A timetable for agency decisions or other action on the current proceeding, if known:**
To be announced on the website and in the Notice of Proposed Rulemaking.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER POLLUTION CONTROL

File Number: R26-98

- 1. **Permission to proceed with this docket was granted under A.R.S. § 41-1039 by the governor on:**
May 20, 2026

- 2. **Title and its heading:**
18, Environmental Quality

Chapter and its heading:
9, Department of Environmental Quality – Water Pollution Control

Article and its heading:
3, Aquifer Protection Permits – General Permits
7, Use of Recycled Water
8, Advanced Water Purification

Section number:
To be determined.

- 3. **The subject matter of the proposed rule:**
The Arizona Department of Environmental Quality (ADEQ) is pursuing a regular rulemaking to amend Advanced Water Purification (AWP) rules in order to clarify and refine requirements as necessary to facilitate more effective implementation of early program components by applicants. The rulemaking will streamline and clarify the regulatory structure through language that better reflects current technology and more clearly aligns requirements with industry standards in response to emerging comments and concerns in a rapidly evolving subject matter, while preserving the integrity and protectiveness of this program.

ADEQ has general authority to engage in this rulemaking under A.R.S. § 49-104(A)(1) and (8) and specific rulemaking authority through A.R.S. §§ 49-203(A)(7) and (9) and 49-211(B).

NOTICES OF RULEMAKING DOCKET OPENING

- 4. **A citation to all published notices relating to the current proceeding:**
Not applicable

- 5. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Jon Rezabek and Natalie Kilker
Title: Legal Specialists
Division: Water Quality
Address: Arizona Department of Environmental Quality
1110 W. Washington Ave.
Phoenix, AZ 85007
Telephone: (602) 771-8219 and (602) 771-0358
Email: awp@azdeq.gov
Website: https://www.azdeq.gov/awp

- 6. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
To be announced in the Notice of Proposed Rulemaking.

- 7. **A timetable for agency decisions or other action on the current proceeding, if known:**
To be announced on the website and in the Notice of Proposed Rulemaking.

NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF ENVIRONMENTAL QUALITY
PERMIT AND COMPLIANCE FEES

File Number: R26-99

- 1. **Permission to proceed with this docket was granted under A.R.S. § 41-1039 by the governor on:**
May 20, 2026

- 2. **Title and its heading:**
18, Environmental Quality

Chapter and its heading:
14, Department of Environmental Quality – Permit and Compliance Fees

Article and its heading:
1, Water Quality Protection Fees
2, Public Water System – Design Review Fees
3, Certified Operator Fees

Section number:
To be determined.

- 3. **The subject matter of the proposed rule:**
The Arizona Department of Environmental Quality (ADEQ) is pursuing a regular rulemaking to amend Advanced Water Purification (AWP) rules in order to clarify and refine requirements as necessary to facilitate more effective implementation of early program components by applicants. The rulemaking will streamline and clarify the regulatory structure through language that better reflects current technology and more clearly aligns requirements with industry standards in response to emerging comments and concerns in a rapidly evolving subject matter, while preserving the integrity and protectiveness of this program.
ADEQ has general authority to engage in this rulemaking under A.R.S. § 49-104(A)(1) and (8) and specific rulemaking authority through A.R.S. §§ 49-203(A)(7) and (9) and 49-211(B).

- 4. **A citation to all published notices relating to the current proceeding:**
Not applicable

NOTICES OF RULEMAKING DOCKET OPENING

5. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Jon Rezabek and Natalie Kilker
Title: Legal Specialists
Division: Water Quality
Address: Arizona Department of Environmental Quality
1110 W. Washington Ave.
Phoenix, AZ 85007
Telephone: (602) 771-8219 and (602) 771-0358
Email: awp@azdeq.gov
Website: https://www.azdeq.gov/awp

6. The time during which the agency will accept written comments and the time and place where oral comments may be made:

To be announced in the Notice of Proposed Rulemaking.

7. A timetable for agency decisions or other action on the current proceeding, if known:

To be announced on the website and in the Notice of Proposed Rulemaking.

NOTICE OF RULEMAKING DOCKET OPENING

INDUSTRIAL COMMISSION OF ARIZONA

File Number: R26-100

1. Permission to proceed with this docket was granted under A.R.S. § 41-1039 by the governor on:

May 27, 2026

2. Title and its heading:

20, Commerce, Financial Institutions, and Insurance

Chapter and its heading:

5, Industrial Commission of Arizona

Article and its heading:

9, Youth Employment

10, Wage Claims

12, Arizona Minimum Wage and Earned Paid Sick Time Practice and Procedure

Section number:

R20-5-902, R20-5-903, R20-5-904, R20-5-905, R20-5-906, R20-5-907, R20-5-908, R20-5-909, R20-5-1002, R20-5-1003, R20-5-1004, R20-5-1006, R20-5-1008, R20-5-1010, R20-5-1202, R20-5-1208, R20-5-1212, R20-5-1214, R20-5-1215, R20-5-1216, R20-5-1217, R20-5-1218, R20-5-1219, R20-5-1220, R20-5-1221, R20-5-1222, R20-5-1223, R20-5-1224, R20-5-1225, R20-5-1226, R20-5-1227, R20-5-1228, R20-5-1229, R20-5-1230, R20-5-1231, R20-5-1232

Sections may be added, amended, repealed, or renumbered as necessary.

3. The subject matter of the proposed rule:

Commission Labor Department rules for youth employment, wage claims, minimum wage, and earned paid sick time programs.

4. A citation to all published notices relating to the current proceeding:

Notice of Proposed Rulemaking: 32 A.A.R. 1417, June 26, 2026 (*in this issue*); File Number: R26-92

5. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Melissa Spurgeon
Title: Director
Division: Labor Department

NOTICES OF RULEMAKING DOCKET OPENING

Address: 800 W. Washington St., Suite 403
Phoenix, AZ 85007
Telephone: (602) 542-4661
Fax: (602) 542-8097
Email: melissa.spurgeon@azica.gov

6. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Commission will accept written comments during a public comment period that is provided in the Notice of Proposed Rulemaking in this issue. Information regarding an oral proceeding is included in the Notice of Proposed Rulemaking.

7. A timetable for agency decisions or other action on the current proceeding, if known:

To be determined.

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NOTICES OF PUBLIC INFORMATION

Volume 32, Issue 26, June 26, 2026

NOTICES OF PUBLIC INFORMATION

Agencies use Notices of Public Information to notify stakeholders about other information that pertains to rulemaking notices under [A.R.S. § 41-1013\(B\)\(14\)](#). When required by law, agencies also use this notice to notify the public about information not related to rulemaking.

The most common use for this notice is to correct errors printed in a rulemaking notice or extend a public comment period.

The Administrative Rules Division of the Office does not provide a standard template for Notices of Public Information because the content of this type of notice varies.

An agency shall follow the Office's formatting standards when preparing this type of notice and use a numbered list of questions and answers. Additionally, an agency receipt shall be filed with a Notice of Public Information.

NOTICE OF PUBLIC INFORMATION

DEPARTMENT OF ENVIRONMENTAL QUALITY

File Number: M26-40

1. Agency Name:

Arizona Department of Environmental Quality

2. Agency Contact information:

Name: Alexandra Ahmad
Title: Environmental Legal Specialist II
Division: Air Quality Division
Address: 1110 W. Washington St., #160
Phoenix, AZ 85007
Telephone: (602) 771-4149
Email: airplanning@azdeq.gov
Website: www.azdeq.gov

3. Public information related to this notice:

This Notice of Public Information concerns the Arizona Department of Environmental Quality's (ADEQ) rules in 18 A.A.C. 2, Article 13, specifically R18-2-B1301(I)(9) (Limits on Lead-Bearing Fugitive Dust from the Hayden Smelter) relating to contingency measures.

ADEQ moved substantive contingency measure provisions from R18-2-B1301(J) to R18-2-B1301.01(E) in its 2026 rulemaking. See 31 A.A.R. 2871 (Sept. 12, 2025) and 32 A.A.R. 93 (Jan. 2, 2026). As the result of a clerical error, the internal cross-reference in R18-2-B1301(I)(9) was not updated and currently references a non-existent "subsection J". This error is present in the rule text in the recent rulemakings for Title 18, Chapter 2, Article 13. See 31 A.A.R. 2871 (Sept. 12, 2025) and 32 A.A.R. 93 (Jan. 2, 2026). Accordingly, the internal cross-reference to "subsection J" in R18-2-B1301(I)(9) needs to be corrected to "R18-2-B1301.01(E)." See 31 A.A.R. 2871 (Sept. 12, 2025). Pursuant to A.R.S. § 41-1011(C) and A.A.C. R1-1-109(B), the Secretary of State will make and publish corrections to R18-2-B1301(I)(9), specifically updating the internal cross-reference from "subsection J" to R18-2-B1301.01(E) in the next supplement to the Arizona Administrative Code.

The full text of R18-2-B1301(I), with the corrected cross-reference underlined, is below.

I. Reporting. The owner or operator shall provide the following to the Department:

1. Notification of commencement of construction of any equipment necessary to comply with the operational or emission limits.
2. Semiannual progress reports on construction of any such equipment postmarked by July 30 for the preceding January-June period and January 30 for the preceding July-December period.
3. Notification of initial startup of any such equipment within 15 business days of such startup.
4. Whenever the owner or operator becomes aware of any exceedance of the emission limit set forth in subsection (C), the owner or operator shall notify the Department orally or by electronic or facsimile transmission as soon as practicable, but no later than two business days after the owner or operator first knew of the exceedance.

Arizona Administrative Register
NOTICES OF PUBLIC INFORMATION

5. Within 30 days after the end of each calendar-year quarter, the owner or operator shall submit a quarterly report to the Department for the preceding quarter that shall include dates, times, and descriptions of deviations when the owner or operator operated smelting processes and related control equipment in a manner inconsistent with the operations and maintenance plan required by subsection (D)(2).
6. Reports from performance testing conducted pursuant to subsection (E) shall be submitted to the Department within 60 calendar days of completion of the performance test. The reports shall be submitted in accordance with the Arizona Testing Manual and A.A.C. R18-2-312(A).
7. The owner or operator shall submit reports to the Department providing the results of the fugitive studies required in subsection (F)(5) within six months of completion of each study.
8. The owner or operator shall submit quarterly, by 30 days after the end of each calendar quarter, a summary report showing the date, time and magnitude of any exceedance of the PM CEMS (or approved alternative monitoring system) calculated in accordance with subsection (G)(4) and any exceedance of the fugitive parameters calculation in accordance with subsection (G)(5).
9. The owner or operator shall submit a report to the Department showing that contingency measures required in ~~subsection J R18-2-B1301.01(E)~~ were implemented within 90 days of receipt of notice from the Department or EPA Region 9 that the requirement for implementing the contingency measures is triggered.

NOTICE OF PUBLIC INFORMATION
OFFICE OF THE GOVERNOR

File Number: M26-42

1. Agency Name:

Office of the Governor

2. Public information related to this notice:

Notice of Executive Commutation

Governor Hobbs gives notice that the following Executive Commutation was granted to Shane Raffaele in response to a unanimous recommendation by the Board of Executive Clemency.

Governor Katie Hobbs hereby gives notice that Shane Raffaele received an Executive Commutation, granted June 18, 2026, based on Mr. Raffaele's imminent danger of death and in response to a unanimous recommendation by the Board of Executive Clemency. Mr. Raffaele's sentence is commuted to time served with the term of community supervision to remain as ordered by the court.

2026 REGISTER INDEXES

The *Register* is published by volume in a calendar year. Refer to the “Information” pages in the front of each issue for more details.

Abbreviations for rulemaking activity in this Index include:

PROPOSED RULEMAKING

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

SUPPLEMENTAL PROPOSED RULEMAKING

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

FINAL RULEMAKING

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

SUMMARY RULEMAKING

PROPOSED SUMMARY

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

FINAL SUMMARY

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

EXPEDITED RULEMAKING

PROPOSED EXPEDITED

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

SUPPLEMENTAL EXPEDITED

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

FINAL EXPEDITED

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

EXEMPT RULEMAKING

EXEMPT

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

EXEMPT PROPOSED

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

EXEMPT SUPPLEMENTAL PROPOSED

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

FINAL EXEMPT RULEMAKING

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

EMERGENCY RULEMAKING

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

RECODIFICATION OF RULES

RC means Recodified

REJECTION OF RULES

RJ means Rejected by the Attorney General

TERMINATION OF RULES

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

RULE EXPIRATIONS

EXP means Rules have expired
Refer to “emergency expired” under emergency rulemaking

CORRECTIONS

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RULEMAKING ACTIVITY INDEX

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RULEMAKING ACTIVITY INDEX

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		R19-3-812.	PN-1025	R4-30-301.	SPM-1033
		R19-3-813.	PN-1025	R4-30-305.	SPN-1033
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Volume 32, Issue 26, June 26, 2026

OTHER NOTICES AND PUBLIC RECORDS INDEX

Other legal notices required to be published under the Administrative Procedure Act, such as Rulemaking Docket Openings, are included in this Index by volume page number. Notices of Agency Ombudsman, Substantive Policy Statements, Proposed Delegation Agreements, and other applicable public records as required by law are also listed in this Index by volume page number.

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Arizona Administrative Register
RULES EFFECTIVE DATES CALENDAR

Volume 32, Issue 26, June 26, 2026

RULES EFFECTIVE DATES CALENDAR

A.R.S. § 41-1032(A), as amended by Laws 2002, Ch. 334, § 8 (effective August 22, 2002), states 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 notice's preamble for effective dates.

January

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

February

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

March

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

Arizona Administrative Register
RULES EFFECTIVE DATES CALENDAR

April

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

May

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

June

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

Arizona Administrative Register
RULES EFFECTIVE DATES CALENDAR

July

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

August

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

September

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

Arizona Administrative Register
RULES EFFECTIVE DATES CALENDAR

October

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

November

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

December

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

Arizona Administrative Register
RULES EFFECTIVE DATES CALENDAR

REGISTER DEADLINES

The Secretary of State's Office publishes the *Register* weekly. There is a three-week delay between the deadline date to file a notice and the *Register* date in which the notice is published. The weekly deadline dates are listed in the first column and issue dates are provided in the second column. Listed in the third column 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*. Governor Regulatory Review Council meetings and *Register* deadlines do not correlate.

Deadline Date Friday, 5:00 p.m.	Register Publication Date	Oral Proceeding may be scheduled on or after
March 13, 2026	April 3, 2026	May 4, 2026
March 20, 2026	April 10, 2026	May 11, 2026
March 27, 2026	April 17, 2026	May 18, 2026
April 3, 2026	April 24, 2026	May 26, 2026 Later date due to a holiday
April 10, 2026	May 1, 2026	June 1, 2026
April 17, 2026	May 8, 2026	June 8, 2026
April 24, 2026	May 15, 2026	June 15, 2026
May 1, 2026	May 22, 2026	June 22, 2026
May 8, 2026	May 29, 2026	June 29, 2026
May 15, 2026	June 5, 2026	July 6, 2026
May 22, 2026	June 12, 2026	July 13, 2026
May 29, 2026	June 19, 2026	July 20, 2026
June 5, 2026	June 26, 2026	July 27, 2026
June 12, 2026	July 3, 2026	August 3, 2026
June 19, 2026	July 10, 2026	August 10, 2026
June 26, 2026	July 17, 2026	August 17, 2026
July 3, 2026	July 24, 2026	August 24, 2026
July 10, 2026	July 31, 2026	August 31, 2026
July 17, 2026	August 7, 2026	September 8, 2026 Later date due to a holiday
July 24, 2026	August 14, 2026	September 14, 2026
July 31, 2026	August 21, 2026	September 21, 2026
August 7, 2026	August 28, 2026	September 28, 2026
August 14, 2026	September 4, 2026	October 5, 2026
August 21, 2026	September 11, 2026	October 13, 2026 Later date due to a holiday
August 28, 2026	September 18, 2026	October 19, 2026
September 4, 2026	September 25, 2026	October 26, 2026
September 11, 2026	October 2, 2026	November 2, 2026
September 18, 2026	October 9, 2026	November 9, 2026
September 25, 2026	October 16, 2026	November 16, 2026
October 2, 2026	October 23, 2026	November 23, 2026
October 9, 2026	October 30, 2026	November 30, 2026
October 16, 2026	November 6, 2026	December 7, 2026
October 23, 2026	November 13, 2026	December 14, 2026

GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES

Volume 32, Issue 26, June 26, 2026

GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES

MEETING DATES ARE SUBJECT TO CHANGE

The deadlines provided in the following table apply to all Five-Year Review Reports and any rulemaking notice submitted for review to the Governor’s Regulatory Review Council (Council). The Office publishes these deadlines under A.R.S. § [41-1013\(B\)\(15\)](#).

Council meetings and *Register* deadlines do not correlate.

All rulemaking notices submitted for review 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 the Council’s [website](#).

File Number: M25-79

DEADLINE FOR PLACEMENT ON AGENDA Materials must be submitted by 5 p.m. on dates listed in this column as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.	DEADLINE FOR FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
Tuesday March 24, 2026	Tuesday April 21, 2026	Tuesday April 28, 2026	Tuesday May 5, 2026
Tuesday April 21, 2026	Tuesday May 19, 2026	Wednesday May 27, 2026	Tuesday June 2, 2026
Tuesday May 19, 2026	Tuesday June 23, 2026	Tuesday June 30, 2026	Tuesday July 7, 2026
Tuesday June 23, 2026	Tuesday July 21, 2026	Tuesday July 28, 2026	Tuesday August 4, 2026
Tuesday July 21, 2026	Tuesday August 18, 2026	Tuesday August 25, 2026	Tuesday September 1, 2026
Tuesday August 18, 2026	Tuesday September 22, 2026	Tuesday September 29, 2026	Tuesday October 6, 2026
Tuesday September 22, 2026	Tuesday October 20, 2026	Tuesday October 27, 2026	Tuesday November 3, 2026
Tuesday October 20, 2026	Tuesday November 17, 2026	Tuesday November 24, 2026	Tuesday December 1, 2026
Tuesday November 17, 2026	Tuesday December 22, 2026	Tuesday December 29, 2026	Tuesday January 5, 2027
Tuesday December 22, 2026	Tuesday January 19, 2027	Tuesday January 26, 2027	Tuesday February 2, 2027

GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES

**GOVERNOR'S REGULATORY REVIEW COUNCIL
NOTICE OF ACTION TAKEN AT THE JUNE 2, 2026 MEETING**

File Number: M26-41

A. CONSENT AGENDA ITEMS:

Rulemakings

1. DEPARTMENT OF ENVIRONMENTAL QUALITY

Title 18, Chapter 4, Article 1

Amend: R18-4-102, R18-4-107, R18-4-111, R18-4-117

2. DEPARTMENT OF ENVIRONMENTAL QUALITY

Title 18, Chapter 14, Articles 1-3

Amend: R18-14-101, R18-14-102, R18-14-104, R18-14-106, R18-14-108, R18-14-109, R18-14-110, R18-14-111, R18-14-112, R18-14-113, R18-14-202, R18-14-301

Five-Year Review Reports

3. DEPARTMENT OF ENVIRONMENTAL QUALITY

Title 18, Chapter 2, Articles 14 and 15

4. DEPARTMENT OF HEALTH SERVICES

Title 9, Chapter 15, Articles 1-3

5. DEPARTMENT OF HEALTH SERVICES

Title 9, Chapter 17, Articles 1-4

6. DEPARTMENT OF HEALTH SERVICES

Title 9, Chapter 7, Article 1

7. DEPARTMENT OF HEALTH SERVICES

Title 9, Chapter 8, Article 1

8. DEPARTMENT OF ECONOMIC SECURITY

Title 6, Chapter 10, Article 1 and 3

9. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM

Title 9, Chapter 30, Article 1-4

10. ARIZONA DEPARTMENT OF FORESTRY AND FIRE MANAGEMENT

Title 4, Chapter 36, Articles 2-4

11. ARIZONA PEACE OFFICERS STANDARDS AND TRAINING BOARD

Title 13, Chapter 4, Article 1, Sections R13-4-102, R13-4-112, R13-4-117, and R13-4-118

12. DEPARTMENT OF PUBLIC SAFETY

Title 13, Chapter 10, Article 1

13. ARIZONA CRIMINAL JUSTICE COMMISSION

Title 10, Chapter 4, Article 5

COUNCIL ACTION: CONSENT AGENDA APPROVED

B. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION ON RULEMAKINGS:

1. CITIZENS CLEAN ELECTIONS COMMISSION

Title 2, Chapter 20, Article 7

Amend: R2-20-702

COUNCIL ACTION: APPROVED WITH IMMEDIATE EFFECTIVE DATE PURSUANT TO A.R.S. § 41-1032(A)