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Arizona Administrative REGISTER

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~ Administrative Register Contents ~

February 20, 2026

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 Rules can be made (all new text); amended (changed) or repealed (removed) as codified in the *Arizona Administrative Code*; or renumbered (moving rules to a different Section number). New rules published in the *Register*, whether proposed or made as a final rule, are underlined; repealed rules (text being removed), is stricken.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

How to Participate in Rulemaking

Review Published Notices

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

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.

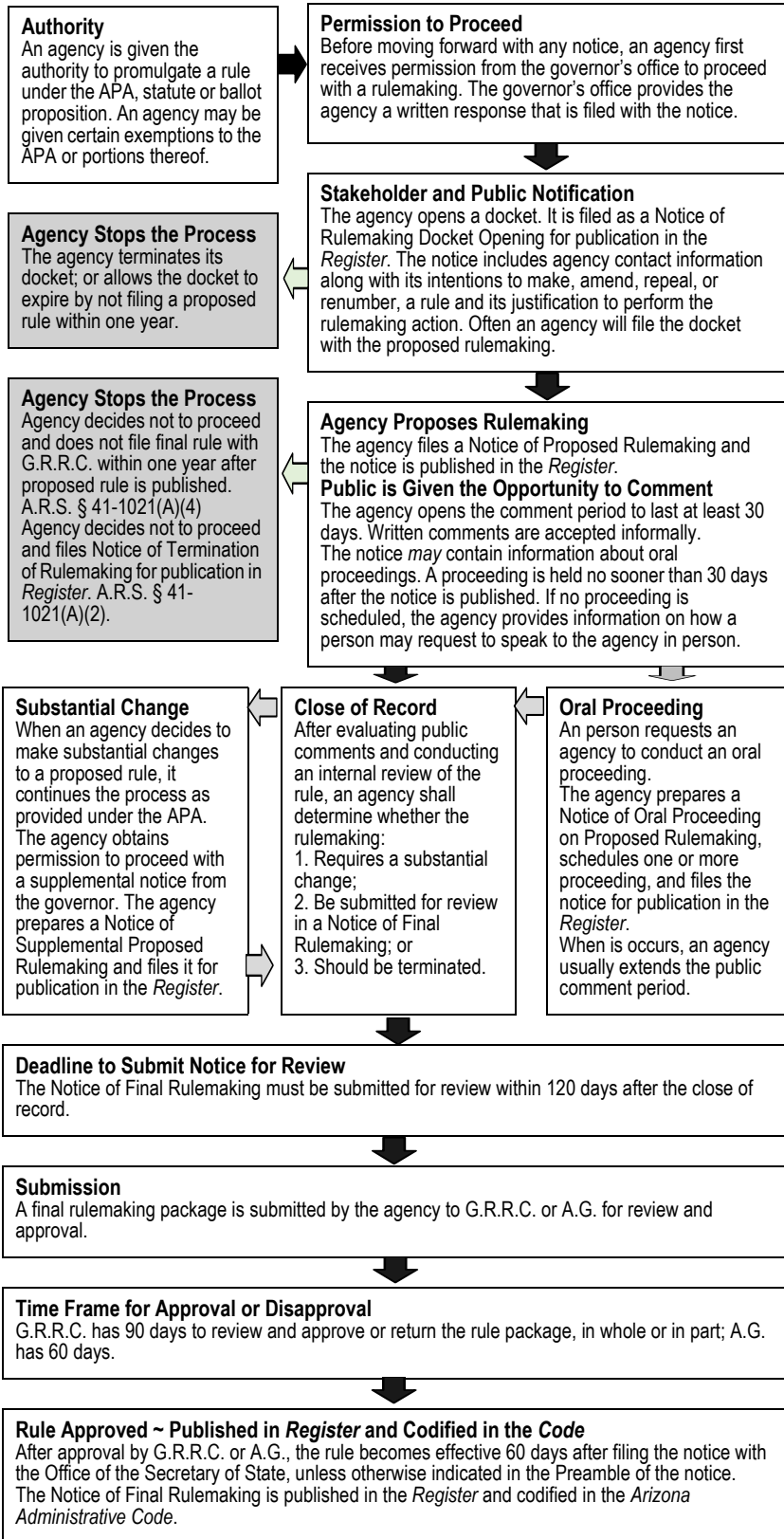
Write the Agency

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

START THE PROCESS HERE



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 West. Citations to statutes include Titles which represent broad subject areas. The Title number is followed by the Section number. For example, A.R.S. § 41-1001 is the definitions Section of Title 41 of the Arizona Administrative Procedures Act. The “§” symbol simply means “section.” Available online at www.azleg.gov.

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

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

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

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

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

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

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

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

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

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

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The 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 Pro-

posed 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 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 10. BARBERING AND COSMETOLOGY BOARD

[R26-09]

PREAMBLE

- 1. Permission to proceed with this proposed rulemaking was granted under A.R.S. § 41-1039 by the governor on:**
April 2, 2025

<u>2. Article, Part, or Section Affected (as applicable)</u>	<u>Rulemaking Action</u>
R4-10-101	Amend
R4-10-102	Amend
R4-10-103	Amend
R4-10-106	Amend
R4-10-111	Amend
R4-10-112	Amend
R4-10-113	Amend
R4-10-114	Amend
Part A	Repeal
R4-10-A101	Repeal
Table A1	Repeal
Part B	Repeal
Table B1	Amend
R4-10-201	Amend
R4-10-202	Amend
R4-10-203	Amend
R4-10-204	Amend
R4-10-205	Repeal
R4-10-205	Amend
R4-10-206	New Section
R4-10-207	Repeal
R4-10-207	Amend
Part A	Repeal
R4-10-A201	Repeal
R4-10-A202	Repeal
Part B	Repeal
R4-10-B201	Repeal
R4-10-B202	Repeal

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R4-10-301	Amend
R4-10-302	Amend
R4-10-303	Amend
R4-10-304	Amend
R4-10-304.1	Amend
R4-10-305	Amend
R4-10-306	Amend
R4-10-A301	Amend
R4-10-A302	Amend
R4-10-A303	Amend
R4-10-B305	Amend
R4-10-B306	Amend
R4-10-B307	Amend
R4-10-401	Amend
R4-10-402	Amend
R4-10-403	Amend
R4-10-404	Amend
R4-10-405	Amend
Part A	Repeal
R4-10-A401	Renumber
R4-10-406	Renumber
R4-10-406	Amend
Part B	Repeal
R4-10-B401	Renumber
R4-10-407	Renumber
R4-10-407	Amend
R4-10-B402	Renumber
R4-10-408	Renumber
R4-10-408	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. § 32-504(A)(1)
Implementing statute: A.R.S. Title 32, Chapter 5

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. 452, February 20, 2026 (*in this issue*); File Number: R26-12

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

Name: Frank Migali
Title: Executive Director
Address: 1740 W. Adams St., Suite 4400
Phoenix, AZ 85007
Telephone: (480) 784-4539
Email: azboard@bcb.az.gov
Website: bcb.az.gov

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

Since the Board’s rules were made in 2024, two important changes have occurred. The first is that the legislature repealed statutes relating to the former Board of Barbers and created one set of statutes for the Barbering and Cosmetology Board. The second is that a sufficient number of states have joined the cosmetology licensure compact to make the compact provisions effective (See A.R.S. § 32-596) so a cosmetologist with an active, unencumbered license is eligible to apply for a multistate license. These two changes necessitate the current rulemaking.

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

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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:

Most of the amendments in this rulemaking were made to address the legislative repeal of statutes relating to the former Board of Barbers. To the extent possible, the Board attempted to have similar procedures apply to all licensees. The primary economic impact of these changes is on the Board, which incurred the cost of the rulemaking and will incur the cost of implementing and enforcing the new rules.

The following changes will have minimal economic impact on those regulated by the Board:

- Adding new fees for a cosmetology multistate license and renewal and approval of an eyelash technician training program and renewal;
- Clarifying what happens if a Board inspector is unable to complete an inspection because of licensee behavior;
- Specifying procedures for applying for a cosmetology multistate license;
- Specifying procedures for applying for an instructor license by reciprocity or universal recognition;
- Clarifying that an offsite training facility does not have to be in an establishment;
- Removing some recordkeeping requirements;
- Requiring a school licensee to maintain student records for 25 years;
- Reducing the amount of time a barbering student may be trained at an offsite training facility; and
- Clarifying the difference when a change to an establishment occurs but the current licensee continue to operate the establishment and when the change results in a new licensee.

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

Name: Frank Migali
Title: Executive Director
Address: 1740 W. Adams St., Suite 4400
Phoenix, AZ 85007
Telephone: (480) 784-4539
Email: azboard@bcb.az.gov
Website: bcb.az.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 at the email address provided under item #5.

An oral proceeding is scheduled on this proposed rulemaking.

Date: Thursday, March 26, 2026

Time: 9:00 a.m.

Location: 1740 W. Adams St., Board room C

Phoenix, AZ 85007

Instructions for joining through Google Meets will be posted on the Board's website.

Nature: Public meeting

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:

Under A.R.S. § 41-1037(A)(2), the licenses issued by the Board are not general permits. The Board is required to assess individual qualifications including education and examinations before issuing a license (See A.R.S. §§ 32-510, 32-511, 32-512, 32-512.01, 32-512.02, 32-519, and 32-531).

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal

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law and if so, citation to the statutory authority to exceed the requirements of federal law:

Not applicable

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:

Not applicable

14. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 10. BARBERING AND COSMETOLOGY BOARD
ARTICLE 1. GENERAL PROVISIONS

Section	
R4-10-101.	Definitions
R4-10-102.	Fees and Charges
R4-10-103.	Payment of Fees
R4-10-106.	Time Frames
R4-10-111.	Display of Licenses, Registrations, and Signs
R4-10-112.	Infection Control and Safety Standards
R4-10-113.	Establishment and School Management
R4-10-114.	Board Inspection

PART A. BARBERING REPEALED

Section	
R4-10-A101.	Definitions <u>Repealed</u>
Table A1.	Time Frames (in days) <u>Repealed</u>

PART B. COSMETOLOGY REPEALED

Section	
Table B1 <u>1</u> .	Time Frames (in days)

ARTICLE 2. PERSONAL LICENSURE OR REGISTRATION

Section	
R4-10-201.	Application for a <u>Personal License by Reciprocity, Application for License by or Universal Recognition, Application for Multistate License</u>
R4-10-202.	Application for a <u>Personal</u> Cosmetology, Aesthetics, Hairstyling, Nail Technology, or Barber License by Examination
R4-10-203.	Personal License, <u>Instructor License</u> , or Registration Renewal
R4-10-204.	Reactivating an Inactive or Expired License or Registration

PART A. BARBERING REPEALED

Section	
R4-10-A201.	Examination <u>Repealed</u>
R4-10-A202.	Application for a Barber Instructor License by Examination <u>Repealed</u>

PART B. COSMETOLOGY REPEALED

Section	
R4-10-B201.	<u>Renumbered</u> R4-10-205. <u>Renumbered</u> Application of for an Instructor License by Examination
R4-10-206.	<u>Renumbered</u> Application for an Instructor License by Reciprocity or Universal Recognition
R4-10-B202.	<u>Renumbered</u> R4-10-207. <u>Renumbered</u> Application for an Eyelash Technician Registration

ARTICLE 3. SCHOOLS; EYELASH TECHNOLOGY TRAINING PROGRAM

Section	
R4-10-301.	License to Operate a School
R4-10-302.	Application for a License to Operate a Barber, Cosmetology, Aesthetician, Hairstyling, or Nail Technology School
R4-10-303.	Application to Renew a License to Operate a School
R4-10-304.	Notification of Changes
R4-10-304.1.	School Closure
R4-10-305.	School Records; Student Certificates
R4-10-306.	General Barber, Cosmetology, Aesthetics, Hairstyling, or Nail Technology School Requirements

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PART A. BARBERING

Section

- R4-10-A301. Barbering School Operations
- R4-10-A302. Barbering School 1200-hour Curriculum Requirements
- R4-10-A303. Offsite Training Facility

PART B. COSMETOLOGY

Section

- R4-10-B305. Distant Classrooms
- R4-10-B306. Approval of an Eyelash Technician Training Program
- R4-10-B307. Requirements of an Eyelash Technician Training Program

ARTICLE 4. ESTABLISHMENTS

Section

- R4-10-401. ~~Changes Affecting a License to Operate an Establishment; Establishment Changes~~
- R4-10-402. Application for a License to Operate a ~~Barber, Cosmetology, Aesthetics, Hairstyling, Nail, or Eyelash~~ an Establishment
- R4-10-403. ~~Barber, Cosmetology, Aesthetics, Hairstyling, Nail, or Eyelash~~ Establishment Requirements and Minimum Equipment
- R4-10-404. Renewal of an Establishment License
- R4-10-405. Establishment Supervision

PART A. BARBERING REPEALED

Section

- ~~R4-10-A401. Renumbered~~
- ~~R4-10-A401, R4-10-406. Barbering~~ Establishment Mobile Units

PART B. COSMETOLOGY REPEALED

Section

- ~~R4-10-B401. Renumbered~~
- ~~R4-10-B401, R4-10-407. Mobile Services~~
- ~~R4-10-B402. Renumbered~~
- ~~R4-10-B402, R4-10-408. Shampoo Assistants~~

ARTICLE 1. GENERAL PROVISIONS

R4-10-101. Definitions

The definitions in A.R.S. §§ ~~32-301~~, 32-501, 32-516, ~~and 32-572~~, and 32-581 apply to this Chapter. Additionally, in this Chapter unless otherwise specified:

1. “Accredited” means approved by any regional or national accreditation organization.
2. “Administrative completeness review” means the Board’s process for determining that an applicant has provided all information and documents required by Board statute or rule for an application.
3. “Applicant” means an individual or any of the following seeking licensure or registration by the Board:
 - a. If a corporation, one officer as the applicant and a list of all officers of the corporation; or
 - b. If a partnership, one partner as the applicant and a list of all other partners; or
 - c. If a limited liability company, the designated ~~corporate~~ contact person, or if no contact person is designated, one member as the applicant and a list of all other members.
4. “Application ~~packet~~” means the forms and documents the Board requires an applicant to submit.
5. “Approved by the Board,” as used in A.R.S. §§ ~~32-302 and 32-501~~, means a cosmetologist, aesthetician, barber, hair stylist, or nail technician has a current license or an eyelash technician has a current registration, issued by the Board and no record of disciplinary action.
6. “Authorized representative” means a person designated by the owner of an establishment or school.
6. ~~“Bracing” means to use a support that helps to steady or strengthen while performing a procedure.~~
7. “Barber pole” means a stationary or revolving sign composed of a vertical cylinder or pole with alternating, diagonal, stripes of any combination including red, white, and blue or a likeness of the sign.
8. “Bracing” means to use a support that helps to steady or strengthen while performing a procedure.
- 8-9. “Certificate of hours” means a document issued by a licensed school to a student that states the total number of hours or credits completed at the school by the student who is transferring or withdrawing.
- 9-10. “Certification of licensure” means the status of the license, signed by the authorized individual of the agency authorized to issue cosmetology, hairstyling, nail technician, aesthetics, barbering, or instructor licenses in the jurisdiction in which the applicant received a license.
- 10-11. “Change of ownership,” as used in A.R.S. §§ ~~32-328~~, 32-545, and 32-552, means a any change of 10 percent or more of the owners of ownership for the individual or entity holding a license to operate an establishment or school.
- 11-12. “Classroom” means an area in which instruction or demonstration is provided.
- 12-13. “Clinic” means the area where a student practices cosmetology, hairstyling, nail technology, aesthetics, or barbering on the general public for a fee.
- 13-14. “Course” means an organized subject matter in which instruction is offered within a given period of time and for which credit toward graduation is given.

NOTICES OF PROPOSED RULEMAKING

- ~~14-15.~~ “Credit” means one earned academic unit of study based on completing the required number of class sessions per calendar week in a course at a community college, an accredited college or university, or a high school.
- ~~15-16.~~ “Crossover hours” means hours of training obtained by a licensed aesthetician, cosmetologist, hair stylist, nail technician, or barber that a school licensee accepts as hours of training required to complete a course of training in a different discipline.
- ~~16-17.~~ “Days” means business days.
- ~~17-18.~~ “Direct supervision” means a licensee is physically present and observing the work of a supervisee.
- ~~18-19.~~ “Discipline” means the fields of study or service regulated by the Board including cosmetology, hairstyling, aesthetics, nail technology, eyelash technology, and barbering.
- ~~19-20.~~ “Disinfect” means the use of EPA-registered chemicals to kill most microbial life that can lead to infection in humans.
21. “Domestic administration,” as used in A.R.S. § 32-506(19)(b) means a licensee performs services on a person to whom the licensee is related by blood, marriage, or state action.
- ~~20-22.~~ “EPA” means the U.S. Environmental Protection Agency.
- ~~21.~~ ~~“Establishment” means a business for which the Board has issued a license to a person under A.R.S. §§ 32-326 or 32-541, as applicable.~~
- ~~22-23.~~ “Establishment suite” means multiple individually operated and licensed establishments that share a physical address except for suite number.
- ~~23-24.~~ “Graduation” or “graduated from a school” means completion of the criteria established by a licensed cosmetology, hairstyling, aesthetics, nail technology, or barbering school for the course in which the applicant was enrolled including completion of the required curriculum hours.
- ~~24-25.~~ “High school diploma or equivalency” means:
- ~~a.~~ A high school diploma from a school recognized by the basic education authority or the Department of Education in the jurisdiction in which the school is located,
 - ~~b.~~ A passing score on a high school equivalency general educational development test or its equivalent as required by the Department of Education,
 - ~~c.~~ An associate degree or 15 academic credits from a junior college recognized by the basic education authority in the jurisdiction in which the college is located, or
 - ~~d.~~ Any degree from a college or university recognized by the basic education authority in the jurisdiction in which the college or university is located.
- ~~25-26.~~ “Licensed in another state of the United States or foreign country” means:
- ~~a.~~ A governmental regulatory agency in the state or country is authorized to examine the competency of individuals who graduate from a licensed cosmetology, hairstyling, nail technology, aesthetics, or barbering school, or instructors for these disciplines; and
 - ~~b.~~ The governmental regulatory agency issues licenses over which the state or country has regulatory and disciplinary jurisdiction.
- ~~26-27.~~ “Manager” means an individual who is responsible for ensuring an establishment for which the Board has issued a license to operate complies with A.R.S. Title 32, ~~Chapters 3 and Chapter 5, as applicable, and this Chapter.~~
- ~~27.~~ ~~“Mentor,” as defined at A.R.S. §§ 32-301 and 32-501, means an aesthetician, barber, cosmetologist, hair stylist, or nail technician who is approved by the Board to train an individual in an apprenticeship program that is approved by the Department of Economic Security and occurs at a licensed establishment.~~
- ~~28.~~ ~~“Model” means an individual or mannequin on which an applicant performs demonstrations for the practical section of a licensing examination.~~
- ~~29.~~ ~~“Practice” means engaging in one of the disciplines regulated by the Board or engaging as an instructor of one of the disciplines in accordance with the license or registration issued by the Board and Title 32, Chapters 3 and C 5, as applicable, and this Chapter.~~
- ~~30-28.~~ “Owner” means a person that has controlling interest in an establishment or school or the owner’s designee.
29. “Passport-style photo” means a full-forward view of the face from the shoulders up, centered, on a plain white background taken within the last six months.
30. “Practice” means engaging in one of the disciplines regulated by the Board or engaging as an instructor of one of the disciplines in accordance with the license or registration issued by the Board and Title 32, Chapter 5, and this Chapter.
- ~~31.~~ “Reciprocity” means the procedure for granting an Arizona license to an applicant who is currently licensed in another state of the United States or a foreign country.
- ~~32.~~ ~~“School” means an educational facility for which the Board has issued a license to a person under A.R.S. §§ 32-325 or 32-551, as applicable.~~
- ~~33-32.~~ “Student instructor” means an individual who is licensed by the Board in a discipline and training to be an instructor in that discipline.
- ~~34-33.~~ “Substantive review” means the Board’s process for determining whether an applicant for licensure, registration, or other approval meets the requirements for the license, registration, or other approval for which application is made including, if applicable, taking and passing ~~an examination~~ all examinations required by the Board.
34. “Tool drawer” means an ultraviolet electrical sanitizer or a clean, dust-proof cabinet, drawer, or other container that is disinfected with an EPA-registered disinfection agent and used to store disinfected tools.
35. “Transfer hours” means hours of study a student completed at one school that a school licensee accepts to meet the requirements at a second school.
- ~~35-36.~~ “Two years of high school or its equivalent” means one of the following:
- ~~a.~~ Ten high school credits attained by an individual;

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- b. If the individual is homeschooled, a copy of the Affidavit of Intent filed with the county school superintendent and proof the individual is at least 16 years old; or
 - e. ~~Proof of being at least 18 years old; or~~
 - ~~d.c.~~ Obtaining a passing score on a high school equivalency general educational development (GED) test or its equivalent as required by the Department of Education.
36. ~~“Transfer hours” means hours of study a student completed at one school that a school licensee accepts to meet the requirements at a second school.~~
37. “Virtual learning” means the use of technology to teach students who may or may not be physically present in a classroom.
38. “Workstation” means a specific location within an establishment, mobile unit, offsite training facility, or school where services are performed not including hair-cleaning activity.

R4-10-102. Fees and Charges

- A. Cosmetology, aesthetics, hairstyling, and nail technology. Under the specific authority provided by A.R.S. § 32-507 and subject to R4-10-103, the Board establishes and shall collect the following fees:
- 1. ~~Initial personal~~ Personal license: ~~\$60.00~~ \$60
 - 2. ~~Personal licensing~~ license renewal: ~~\$60.00~~ \$60
 - 3. ~~Delinquent personal license renewal: \$60 for personal license renewal as specified under subsection (A)(2) plus \$30 for delinquent renewal for every two years or a portion of two years that the license is inactive expired to a maximum of five years~~
 - 4. Personal license by reciprocity or universal recognition license: \$60.00 \$60
 - 5. Instructor license by examination, reciprocity, or universal recognition; renewal: \$60
 - 6. Delinquent instructor license renewal: \$30 for every two years or portion of two years that the license is expired to a maximum of five years
 - ~~5-7.~~ Establishment ~~initial~~ license: ~~\$110.00~~ \$110
 - ~~6-8.~~ Establishment license renewal: ~~\$50.00~~ \$50 annually
 - ~~7-9.~~ Establishment ~~delinquent~~ Delinquent establishment license renewal: ~~\$80.00~~ \$30 for every year or portion of a year that the license is expired
 - ~~8-10.~~ School license: ~~\$600.00~~ \$600
 - ~~9-11.~~ School license renewal: ~~\$250.00~~ \$250
 - ~~10-12.~~ Delinquent school license renewal: ~~\$350.00~~ \$100 for every year or portion of a year that the license is expired
 - 13. Cosmetology multistate license: \$90
 - 14. Cosmetology multistate license renewal: \$90
- B. Barbering. Under the specific authority provided by A.R.S. § ~~32-328~~ 32-507, and subject to R4-10-103, the Board establishes and shall collect the following fees:
- 1. Barber
 - a. License Personal license by reciprocity or universal recognition: \$175
 - b. ~~Initial~~ Personal license: \$40
 - c. ~~Renewal valid for two years~~ Personal license renewal: \$80
 - d. Delinquent personal license renewal: \$30 for every two years or portion of two years that the license is expired to a maximum of five years
 - 2. Instructor
 - a. ~~Initial~~ Instructor license: \$50
 - b. License Instructor license by reciprocity or universal recognition: \$175
 - c. ~~Renewal valid for two years~~ Instructor license renewal: \$60
 - d. Delinquent instructor license renewal: \$30 for every two years or portion of two years that the license is expired to a maximum of five years
 - 3. Establishment
 - a. ~~Application and initial inspection~~ Establishment license: \$150
 - b. ~~Change of location or ownership: \$85~~ Establishment license renewal: \$50 annually
 - c. Renewal: \$50 annually Delinquent establishment license renewal: \$30 for every year or portion of a year that the license is expired
 - 4. ~~Late renewal fee for any license issued under subsections (B)(1) through (3)~~
 - a. ~~First time in a five year period: \$25 plus the renewal fee~~
 - b. ~~Second time in a five year period: \$50 plus the renewal fee~~
 - e. ~~Third time in a five year period: \$75 plus the renewal fee~~
 - ~~5-4.~~ School
 - a. Application School license and initial inspection: \$1,000
 - b. Change of location or ownership: \$500
 - ~~e-b.~~ Renewal School license renewal: \$400 ~~annually~~
 - ~~d-c.~~ Late renewal fee: Delinquent school license renewal: \$100 for every year or portion of a year that the license is expired
 - i. ~~First time in five year period: \$50 plus the renewal fee~~
 - ii. ~~Second time in five year period: \$100 plus the renewal fee~~
 - iii. ~~Third time in five year period: \$150 plus the renewal fee~~
- C. Eyelash technology. Under the specific authority provided by A.R.S. § 32-507, and subject to R4-10-103, the Board establishes and shall collect the following fees:
- 1. ~~Initial personal~~ Personal registration: \$45

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2. Personal registration renewal: \$45
 3. Delinquent personal registration renewal: ~~\$45 for personal registration renewal as specified under subsection (C)(2) plus \$30 for delinquent renewal for every two years or a portion of two years that the registration is inactive~~ expired to a maximum of five years
 4. Approval of an eyelash technician training program: \$250
 5. Eyelash technician training program renewal: \$100
 6. Delinquent eyelash technician training program renewal: \$40 for every year or portion of a year that the approval is expired
- D. An applicant for licensure by examination shall pay directly to the national professional organization with which the Board contracts the amount charged to administer and grade the written and practical examinations.
- E. The Board shall collect the following charges for the services provided:
1. Board administered educational classes: ~~\$25.00~~ \$25
 2. Certification of licensure or hours: ~~\$30.00~~ \$30
 3. Service As authorized by A.R.S. § 35-101(8), a service charge for use of a credit or debit card: \$3.00 \$3 per transaction
 4. For copying public documents: 50¢ per page
 5. For audiotapes, videotapes, computer discs, or other media used for recording sounds, images, or information: \$15 per tape, disc, or other medium
 6. For a list of licensees' names and mailing addresses: a maximum of ~~25¢~~ 10¢ per name
 7. Issuing an updated license following receipt of a notice of establishment-suite change: \$20
- F. As authorized by A.R.S. § 44-6852, the Board shall charge a service fee of ~~\$20.00~~ \$20 for the return of a dishonored check or the failure of any other means of payment to be honored plus the actual charges assessed by the financial institution dishonoring the check or other means of payment.
- G. The Board shall consider a fee payment timely only if the fee is received in the correct amount, in the form specified in R4-10-103(B), and:
1. The Board receives the fee on or before the date due, or
 2. The fee is postmarked or electronically submitted on or before the date due.

R4-10-103. Payment of Fees

- A. A fee is not considered paid until the Board receives the amount required in the form specified in subsection (B). The Board shall not provide services, administer examinations, or issue licenses or registrations until it receives the required fee.
- B. Form of payment. The Board shall accept:
1. A credit card, money order, or cashier's check as payment of licensing fees for ~~an establishment or a school;~~
 2. A credit card, cashier's check, business check, or money order as payment of a civil penalty; and
 3. A credit or debit card as payment of all other fees and service charges.
- C. If any payment for a renewal is returned because it to the Board is dishonored, including a chargeback, the renewal license or registration application is incomplete and any license or registration renewal issued is void effective the date the Board provides written notice to the licensee or registrant that the license or registration is void.
- D. An applicant, licensee, or registrant whose fee payment to the Board is dishonored is not entitled to a further service, license, or registration until the Board receives the following:
1. The amount of the fee for which the payment was dishonored;
 2. The service charge provided in R4-10-102 (F); and
 3. If applicable, the delinquent fee for each year or part of a year the license or registration was ~~inactive or~~ expired.
- E. Fees are nonrefundable except if A.R.S. § 41-1077 applies.
- F. The Board shall not refund fees tendered for fewer than \$5.00 over the amount specified in R4-10-102, except the Board shall refund fees paid over the amount specified as the maximum fee in A.R.S. §§ ~~32-328 or 32-507~~, as applicable.

R4-10-106. Time Frames

- A. The overall, administrative completeness, and substantive review time frames described in A.R.S. § 41-1072 for each type of license, registration, or approval granted by the Board are listed in ~~Tables Table 1 A1 and B1, as applicable.~~ The applicant and Executive Director of the Board may agree in writing to extend the overall time frame. The substantive review time frame may not be extended by more than 25 percent of the overall time frame.
- B. The administrative completeness review time frame begins when the Board receives an application ~~packet~~.
1. If an application ~~packet~~ is incomplete because an incorrect document is submitted, the Board shall ~~send~~ notify the applicant ~~and~~ send a written notice specifying the missing document or incomplete information. The administrative completeness review time frame and the overall time frame are suspended from the date of the notice until the date the Board receives ~~a complete application packet~~ the correct document from the applicant.
 2. If an application ~~packet~~ is complete, the Board shall send a written notice of administrative completeness to the applicant.
 3. If the Board grants a license, registration, or approval during the administrative completeness time frame, the Board ~~shall not~~ may issue a separate written notice of administrative completeness.
- C. The substantive review time frame begins on the date of notice of administrative completeness.
1. As part of the substantive review for a license to operate a school, the Board shall conduct an inspection that may require more than one visit to the school.
 2. During the substantive review time frame, the Board may make one comprehensive written request for additional information or documentation. If the applicant ~~has~~ applied for licensure by examination, the Board may request evidence ~~of passing the~~ applicant passed all required examination examinations. The time frame for the Board to complete the substantive review is sus-

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pended from the date of the comprehensive written request for additional information or documentation until the Board receives the additional information or documentation.

3. If an applicant does not meet the requirements of A.R.S. Title 32, Chapter ~~3~~ or 5, as applicable, and this Chapter, the Board shall send a written notice denying a license, registration, or approval to the applicant. The Board shall include in the notice of denial the basis for the denial and an explanation of the applicant's right to appeal under A.R.S. Title 41, Chapter 6, Article 10.
- D. The Board shall consider an application withdrawn if within 90 days ~~from the application submission~~ after the date on which the applicant submitted the application, the applicant fails to ~~supply the missing information under~~ comply with subsection (B)(1) or (C)(2).
- E. An individual shall not practice as an aesthetician, cosmetologist, hairstylist, instructor, nail technician, barber, or eyelash technician until the individual receives and posts the license or registration issued by the Board at the individual's place of employment.

R4-10-111. Display of Licenses, Registrations, and Signs

- A. An establishment or school licensee shall ensure the name on the establishment's or school's sign, advertising, and publications is the same as the name on the license to operate the establishment or school issued by the Board. The establishment's or school's sign shall be prominently posted in view of the public.
- B. A school licensee shall:
 1. Display the licenses of the school licensee and all instructors near the school entrance, visible to the public; and
 2. Ensure that if "accredited," "approved," or a similar term appears in the school catalog, publication, or advertisement, the name of the accrediting or approving organization is provided.
- C. An establishment licensee shall:
 1. Prominently post the current license of the establishment licensee in view of the public, and
 2. Ensure ~~that~~ the personal license or registration of each licensee or registrant performing services in the establishment is posted at the licensee's or registrant's workstation.
- D. A licensee or registrant performing mobile services shall prominently display, in view of the public and in the area where mobile services are provided:
 1. A duplicate of the licensee's or registrant's personal license or registration, and
 2. A duplicate of the Board-issued license to operate an establishment.
- E. A copy of R4-10-112 shall be prominently posted in each establishment and school.
- F. If applicable, an establishment licensee shall prominently post a sign, in view of the public, that reads: "These services are not regulated by the Arizona Barbering and Cosmetology Board" and include a list of services provided but not regulated.
- G. Display of barber pole.
 1. Under A.R.S. § ~~32-355(A)(4)~~ 32-543(B), it is unlawful to display a sign or advertise as being engaged in the practice or business of barbering without being licensed under A.R.S. Title 32, Chapter ~~3~~ 5, and this Chapter.
 - ~~2. The Board has trademarked through the Office of the Secretary of State the barber pole as a sign of the barbering business.~~
 - ~~3.2.~~ A business shall not display a barber pole unless a barber licensed under A.R.S. Title 32, Chapter ~~3~~ 5, and this Chapter is available to provide barbering services during the business hours the barber pole is displayed.

R4-10-112. Infection Control and Safety Standards

- A. The holder of an establishment or school license issued under A.R.S. Title 32, Chapter ~~3~~ or 5, and this Chapter, shall ensure the establishment or school has and maintains the following minimum equipment and supplies:
 1. Non-leaking, solid-side waste receptacles with liners, which are emptied, cleaned, and disinfected daily;
 2. Ventilated, covered, containers for soiled linens including towels and capes;
 3. Covered, clean containers or cabinets to hold clean linens including towels and capes;
 4. Covered, wet disinfectant container that:
 - a. Is set up with disinfectant solution at all times the establishment or school is open, and
 - b. Is changed as determined by the manufacturer's instructions or when visibly cloudy or contaminated; and
 5. An EPA-registered bactericidal, virucidal, or fungicidal, disinfectant effective against HIV and human hepatitis B virus, which shall be mixed and used according to manufacturer's directions on all tools, instruments, and equipment.
- B. Procedure for disinfecting non-electrical equipment. A licensee, registrant, or student shall disinfect non-electrical equipment by:
 1. Cleaning with soap or detergent and warm water, rinsing with clean water, and patting dry; and
 2. Totally immersing in the wet disinfectant required under subsection (A)(5) following manufacturer's recommended directions.
- C. Procedure for storing tools and instruments. A licensee, registrant, or student shall:
 1. Place a tool or instrument that has been used on a client or soiled in any manner in a covered receptacle that is labeled "dirty"; and
 2. Place a disinfected instrument in a disinfected, dry, covered container that is labeled "ready to use" and isolate the disinfected instrument from contaminants.
- D. Procedure for disinfecting electrical equipment, which shall be in good repair, before each use. A licensee, registrant, or student shall disinfect electrical equipment by:
 1. Removing all foreign matter from the equipment;
 2. Cleaning and spraying or wiping with an EPA-registered bactericidal, virucidal, or fungicidal disinfectant, compatible with electrical equipment, as required in subsection (A)(5), ensuring the electrical equipment is in contact with the disinfectant for the time specified on the disinfectant label;
 3. Storing the disinfected electrical equipment in a clean place separated from cords for the electrical equipment; and
 4. If the electrical equipment has removable parts, disinfecting the removed parts as described in subsection (B).
- E. Tools, instruments, and supplies. A licensee, registrant, or student shall:

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1. Dispose of all tools, instruments, or supplies that come into direct contact with a client and cannot be disinfected (for example, cotton pads, sponges, porous emery boards, and neck strips) by placing them in a waste receptacle immediately after use;
 2. Not store or carry disinfected tools and instruments in a leather or cloth pouch or pocket;
 3. Dispose of a sharp tool or instrument by sealing the tool or instrument in a rigid, puncture-proof container and disposing in a manner that keeps licensees, registrants, students, clients, and sanitation workers safe;
 4. Not place clips or other tools and instruments in the mouth, pocket, or other holder that cannot be cleaned and disinfected;
 5. Sharpen pencil cosmetics before each use and clean and disinfect the sharpener after each use; and
 6. A client's personal tools and instruments that are brought into and used in the establishment shall comply with these rules.
- F.** If there is exposure to blood or other body fluids during a service, a licensee, registrant, or student shall stop the service and:
1. If the wound is on the licensee's, registrant's or student's hand, the licensee, registrant, or student shall:
 - a. Clean the wound with an antiseptic solution;
 - b. Cover the wound with a sterile bandage; and
 - c. Cover the wounded area with a glove or finger cover;
 2. Discard all blood-stained tissue or cotton or other blood-contaminated material;
 3. Disinfect all equipment, tools, and instruments that came in contact with blood or other body fluids as discussed in subsections (A)(5) and (B); and
 4. Disinfect electrical equipment as discussed in subsection (D).
- G.** An establishment or school licensee shall ensure all circulating and non-circulating tubs or spas are cleaned as follows:
1. After each client or service, complete the following:
 - a. Drain the tub; and
 - b. Remove and discard a used tub liner and replace the used tub liner with a new, unused tub liner; or
 - c. Clean the tub according to manufacturer's instructions, taking special care to remove all film, especially at the water line, rinse the tub and fill with disinfectant listed in subsection (A)(5), and allow the disinfectant to stand or circulate for the time specified in the manufacturer's instructions.
 2. At the end of the day, complete all of the following:
 - a. Drain the tub;
 - b. Remove all filters, screens, drains, jets, and other removable parts;
 - c. Scrub all removed parts with a brush and soap or detergent until free from debris;
 - d. Rinse the removed parts;
 - e. Completely immerse the removed parts in the disinfectant listed under subsection (A)(5);
 - f. Rinse the tub;
 - g. Replace the disinfected parts;
 - h. Fill the tub with clean water and the amount of disinfectant proper for the volume of water;
 - i. Circulate the water and disinfectant for the full contact time listed on the manufacturer's label. If the tub does not have jets, allow the water and disinfectant to stand for the full contact time listed on the manufacturer's label; and
 - j. Drain the tub.
- H.** Personal cleanliness. A licensee, registrant, or student shall:
1. Thoroughly wash his or her hands with soap and warm water or any equally effective hand sanitizer immediately before providing services to each client, before checking a student's work on a client, or after smoking, eating, or using the restroom;
 2. Wash a client's skin on which services will be performed with soap and warm water or wipe the skin with waterless hand sanitizer approved for use on skin before a nail technology service, including a pedicure service, is provided; and
 3. Wear clean, fluid-proof, single-use, protective gloves while performing any service if any bodily discharge is present from the licensee, registrant, student, or client or if any discharge is likely to occur from the client because of services being performed. Discard gloves immediately after use.
- I.** Disease and infestation. A licensee, registrant, or student shall not perform a service on an individual who:
1. ~~Who has~~ **Has** a contagious disease that may be transmitted by the performing of the service on the individual; or
 2. ~~Who is~~ **Is** exhibiting a sign of infection such as reddened, erupted, or open skin.
- J.** Client protection. A licensee, registrant, or student shall:
1. Protect a client's clothing from direct contact with shampoo bowls or headrests by using clean linens, capes, robes, or protective neck strips;
 2. Maintain infection control and perform services safely;
 3. Use bracing when performing a service around a client's eyes, ears, lips, fingers, and toes; and
 4. When applicable, provide a client a pre- and post-analysis that includes appropriate instructions for follow-up.
- K.** Care and storage of linens including towels, robes, and capes. An establishment licensee shall ensure:
1. Clean linens are provided for each client and laundered after each use;
 2. Soiled linens are stored in a ventilated receptacle;
 3. Laundering includes washing linens using detergent and bleach; and
 4. Clean linens are stored in covered containers or closets.
- L.** Care and storage of products including liquids, creams, oils, gels, antiseptics, clay, ointments, waxes, powders, cosmetics, chemicals, and disinfectants. An establishment licensee shall ensure:
1. All products are stored in a container that is clean and free of corrosion, labeled to identify contents, and in compliance with state and local laws and manufacturer's instruction;
 2. All products containing poisonous substances are distinctly marked;
 3. When only a portion of a product is to be used, the portion is removed from the container in a way that does not contaminate the remaining product; and

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4. Once dispensed, a product is not returned to the original container.
- M. Prohibited hazardous substances and use of products. An establishment licensee shall ensure:
 1. No products containing hazardous substances banned by the U.S. Food and Drug Administration (FDA) for use in products on clients, including liquid methyl methacrylate monomer and methylene chloride, are on the establishment premises;
 2. All products are used only in a manner approved by the FDA, EPA, or other regulatory agency; and
 3. Instructions on the manufacturer's label are followed at all times.
- N. Care of headrests, shampoo bowls, and treatment tables. An establishment licensee shall ensure:
 1. Headrests of chairs and treatment tables are disinfected at least daily;
 2. Treatment tables are covered with a clean linen or paper sheet for each client;
 3. Shampoo bowls and neck rests are cleaned with soap and warm water or other detergent and disinfected after each use and kept in good repair; and
 4. Shampoo neck rests are disinfected with a solution listed under subsection (A)(5) before each use.
- O. Prohibited devices, tools, or chemicals; invasive procedures. An establishment licensee shall ensure:
 1. Except as provided in this subsection and subsection (O)(2), all of the following devices, tools, or chemicals are not present in or used in an establishment:
 - a. A device, tool, or chemical designed or used to pierce the dermis; and
 - b. A low-frequency, or low-power ultrasonic, or sonic device except one intended for skin cleansing, exfoliating, or product application.
 2. A licensee or registrant that provides an invasive procedure, using a device, tool, or chemical described in subsection (O)(1), that is otherwise allowed under Arizona law, complies with statutes and rules governing the procedure, training, or supervision as required by the relevant, regulatory authorities.
- P. Skin peeling. A licensee shall:
 1. Except as provided in subsection (O)(2), remove only the non-living, uppermost layer of skin, known as the epidermis, by any method or means and only for the purpose of beautification;
 2. Not use a skin removal technique or practice that affects the dermal layer of the skin;
 3. Not mix or combine skin removal products except as required by manufacturer instructions and approved by the FDA; and
 4. Use only commercially available products for the removal of epidermis for the purpose of beautification.
- Q. Restricted use tools and instruments. A licensee shall use:
 1. Nippers only to remove loose cuticles; and
 2. Pre-sterilized, disposal lancets only to dilate follicles and release sebaceous debris from the follicle.
- R. Lash use and storage. A cosmetology or aesthetics licensee or eyelash technician registrant shall:
 1. Have at the lashing workstation a covered, wet disinfectant container large enough to submerge tools completely;
 2. Clean hands between clients;
 3. Perform all lash services using clean or clean-gloved hands;
 4. Store lashes in the original tray or jar in a covered container that is free from debris or contaminants;
 5. Dispense lashes from the original tray or jar using only a disinfected tool;
 6. Not return a lash to the original tray or jar after the lash is dispensed from the original tray or jar;
 7. Spray and wipe the lash workstation with an EPA-registered disinfectant after each client;
 8. Disinfect all cutting implements after use and store the disinfected cutting implements in a covered container that is free from debris or contaminants;
 9. Keep tape dispensers inside a labeled, clean, closed drawer; and
 10. Disinfect lash tweezers, adhesive stones, lash tiles, lash pallets, lash cases, and other items between clients.
- S. An establishment licensee shall maintain cleanliness and repair of the establishment according to the following guidelines:
 1. Discard ~~hair and nail~~ all clippings immediately after each client;
 2. Clean and disinfect shampoo bowls using a disinfectant listed under subsection (A)(5) and ensure drains are free running;
 3. Disinfect counters and all work areas after each client by using a disinfectant ~~discussed in~~ listed under subsection (A)(5).
- T. An establishment licensee, including the licensee of an establishment in a residence, shall ensure compliance with the following building standards:
 1. There is an entrance into the establishment from the outside. If the establishment is in a residence, the entrance may be through living quarters;
 2. Except for an establishment in a residence, an establishment shall not be used for residential or other living purposes;
 3. The establishment has a restroom open and available for employees' and clients' use during business hours. The restroom has a wash basin, running water, liquid soap, and disposable towels; is kept clean and sanitary at all times; and is in close enough proximity to the establishment to ensure safety for procedures during use;
 4. Extra material stored in the establishment restroom is locked in a cabinet;
 5. The establishment, including a mobile unit, has sufficient hot and cold running water; and
 6. The establishment has natural or mechanical ventilation and an air filtration system that provides free flow of air to each room, prevents the build-up of emissions and particulates, keeps odors and diffusions from chemicals and solutions at a safe level, and provides sufficient air circulation and oxygen.
- U. An establishment licensee shall ensure compliance with the following general requirements.
 1. A first-aid kit that contains, at a minimum, bandages, gauze, antiseptic, and antibiotic cream is present in the establishment and easily accessible;
 2. No animals except fish in aquariums and service animals are allowed in the establishment; and

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3. The establishment complies with federal and state requirements.

R4-10-113. Establishment and School Management

- A. An establishment or school licensee shall ensure:
1. Licenses, notices, and the Board’s most recent inspection sheet are prominently displayed in view of the public;
 2. All licensees or registrants in the establishment, school, or a mobile service area have current licenses or registrations;
 3. Infection control and safety standards are maintained; and
 4. If the establishment ~~or school~~ closes, the licensee or authorized representative notifies the Board within 10 days by completing a form that is available on the Board’s website; or
 5. If the school closes, the licensee or authorized representative notifies the Board within five days by completing a form that is available on the Board’s website.
- B. The Board shall hold the establishment or school licensee responsible for all violations of requirements in subsection (A) that occur within the establishment or school.
- C. If an establishment licensee rents or leases space within the establishment to a person who obtains a separate license to operate an establishment, the Board shall hold the second licensee responsible for all violations of requirements in subsection (A) that occur within the portion of the establishment the second licensee is licensed to operate.

R4-10-114. Board Inspection

- A. A licensee or manager of an establishment or school shall permit a Board inspector or representative to inspect the premises of the establishment or school regardless of whether the establishment or school has been identified in a complaint. If the Board inspector or representative leaves the establishment or school without completing the inspection because of aggressive behavior, threats, or violence by the licensee or manager, the licensee or manager of the establishment or school shall be subject to disciplinary action under A.R.S. § 32-572.
- B. A Board inspector or representative may inspect:
1. The premises of a location alleged to be operating as an establishment or school without a license from the Board;
 2. The premises of each establishment at least once during every two years; and
 3. An establishment or school at any time allowed under A.R.S. §§ ~~32-304(B), 32-325, 32-542, and 32-562.~~
- C. Inspection procedure. According to the requirements of A.R.S. Title 32, ~~Chapters 3 and Chapter 5,~~ and this Chapter, the Board inspector or representative shall document that:
1. The establishment or school complies with R4-10-111(C) through (G);
 2. All required equipment and implements necessary to provide services are present, clean, in good working order, and in appropriate quantity to the number of establishment employees;
 3. All procedures, including those in R4-10-112, are followed by establishment and school employees; and
 4. All applicable statutes and rules are followed.
- D. Inspection findings. The Board inspector or representative shall provide a copy of a completed inspection report to the licensee or manager of the establishment or school and the Board.
- E. Disciplinary action. The Board shall follow disciplinary procedures established under A.R.S. §§ ~~32-352 through 32-356 or 32-571 through 32-576~~ for any inspection finding indicating a violation of any provision of A.R.S. Title 32, ~~Chapters 3 or Chapter 5,~~ or this Chapter.

PART A. BARBERING REPEALED

R4-10-A101. Definitions Repealed

The following definitions apply to this Chapter unless the context otherwise requires:

~~“Barbering implement” means any tool or device used for barbering.~~

~~“Domestic administration,” as used in A.R.S. § 32-321, means a licensee performs barbering on the licensee or another person to whom the licensee is related by blood, marriage, or state action.~~

~~“One year’s experience as a licensed barber,” as used in A.R.S. § 32-322(C), means that during 12 consecutive months, an individual maintained a valid license issued under A.R.S. § 32-322, and engaged in barbering at least 1,500 hours.~~

~~“Practiced barbering for at least two years,” as used in A.R.S. § 32-323(B), means that during 24 consecutive months, an individual engaged in barbering at least 1,500 hours during each 12-month consecutive period.~~

~~“Tool drawer” means an ultraviolet electrical sanitizer or a clean, dust proof cabinet, drawer, or other container that is disinfected with an EPA-registered disinfecting agent and used exclusively to store disinfected barbering implements.~~

Table A1. Time Frames (in days) Repealed

License	Authority	Overall Time Frame	Administrative Time Frame	Time to Respond	Substantive Time Frame	Time to Respond
Barber	A.R.S. §§ 32-322; 32-327	28	21	90	7	30
License by reciprocity or universal recognition	A.R.S. §§ 32-328; 32-4302	28	21	90	7	30
Instructor	A.R.S. §§ 32-323; 32-327	28	21	90	7	30
School	A.R.S. §§ 32-325; 32-327	90	30	30	60	60

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Establishment	A.R.S. §§ 32-326, 32-327	90	90	90	60	60
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PART B. COSMETOLOGY REPEALED

Table B1.1. Time Frames (in days)

Type of Approval	Statutory Authority	Overall Time Frame	Administrative Completeness Time Frame	Substantive Review Time Frame
License by Examination; <u>Instructor License</u>	A.R.S. §§ 32-510, 32-511, 32-512, 32-512.01, 32-512.02 32-531, 32-532	90	60	30
Registration as Eyelash Technician	A.R.S. § 32-519	45	15	30
License by Reciprocity or Universal Recognition; <u>Multistate License</u>	A.R.S. §§ 32-513, 32-532, 32-583, 32-4302	60	30	30
School License	A.R.S. § 32-551	90	30	60
Approval of an Eyelash Technician Training Program	A.R.S. § 32-519	60	20	40
License or Registration Renewal	A.R.S. §§ 32-517, 32-519, 32-535, 32-544, 32-564, 32-583	75	45	30
Establishment License	A.R.S. §§ 32-541, 32-542	90	30	60
<u>Establishment or School Renewal</u>	A.R.S. §§ 32-544, 32-564	30	15	15
<u>License or Registration</u> Reactivation	A.R.S. §§ 32-518, 32-519	30	15	15

ARTICLE 2. PERSONAL LICENSURE OR REGISTRATION

R4-10-201. Application for Personal License by Reciprocity; ~~Application for License by~~ or Universal Recognition; Application for Multistate License

- A.** License by reciprocity. An applicant for an aesthetics, cosmetology, hairstyling, nail technology, or barber, ~~or instructor~~ license by reciprocity shall submit the applicable fee required in R4-10-102 and all of the following to the Board:
1. An application form available on the Board's website licensing portal that contains:
 - a. The applicant's name, full mailing, ~~physical~~, and email addresses, telephone number, Social Security number, and birth date;
 - b. If previously licensed by the Board, the type of license; and license number, ~~license expiration date, and name used on the license~~;
 - c. A statement of whether the applicant has ever had an aesthetics, cosmetology, hairstyling, nail technology, or barber, ~~or instructor~~ license suspended or revoked in any state of the United States or foreign country; and
 - d. The applicant's signature ~~and verification~~ verifying the information provided is true and correct;
 2. A passport-style photo of the applicant;
 3. ~~A list of states in the United States or foreign countries in which the applicant is or was previously licensed or authorized to practice barbering, hairstyling, nail technology, aesthetics, or cosmetology~~ One of the following:
 - a. If currently licensed in another state, a certification from the licensing state indicating the license requires education that is substantially equivalent to the requirements of this state and is active and satisfactory evidence of an active license or authorization in good standing; and or
 - b. If currently licensed in a foreign country that:
 - i. Has a governmental regulatory agency providing disciplinary or judicial oversight, translated evidence demonstrating the license requires education that is substantially equivalent to the requirements of this state and is active and in good standing; or
 - ii. Has no governmental regulatory agency providing disciplinary or judicial oversight, a passing score on both a theory and practical examination.
 4. Documentation specified under A.R.S. § 41-1080 indicating the applicant's presence in the United States is authorized under federal law.
- B.** ~~In addition to the requirements in subsection (A), under A.R.S. § 32-322, an applicant for a barber or barber instructor license by reciprocity shall:~~
1. ~~If licensed in another state of the United States, submit evidence of compliance with A.R.S. § 32-322(C); or~~
 2. ~~If licensed or otherwise authorized to practice barbering by a foreign country, submit evidence of compliance with A.R.S. § 32-322(D).~~
- C.** ~~In addition to the requirements in subsection (A), under A.R.S. § 32-532, an applicant for a cosmetology, aesthetics, nail technology, or hairstyling instructor license by reciprocity shall submit evidence of the experience required under A.R.S. § 32-532(2).~~
- D.B.** License by universal recognition. An applicant for an aesthetics, cosmetology, hairstyling, nail technology, or barber, ~~or instructor~~ license who meets the requirements specified at A.R.S. § 32-4302 is eligible for licensure by universal recognition. To apply for

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licensure by universal recognition, an applicant shall submit the applicable fee required in R4-10-102 and all of the following to the Board:

1. An application form available on the Board's website licensing portal that contains:
 - a. The applicant's name, full mailing, ~~physical~~, and email addresses, telephone number, Social Security number, and birth date; and
 - b. The applicant's signature ~~and verification~~ verifying the information provided is true and correct;
2. A passport-style photo of the applicant;
3. ~~A list of all states in which the applicant is currently and has been licensed for at least one year and certification from the licensing states that the applicant's license is in good standing; and A certification from the state in which the applicant is licensed indicating the license requires education that is substantially equivalent to the requirements of this state and is active and in good standing;~~
4. Proof the applicant has been licensed for at least one year;
5. Documentation specified under A.R.S. § 41-1080 indicating the applicant's presence in the United States is authorized under federal law; and
- 4-6. Proof of Arizona residency.

C. Multistate license. An applicant for a cosmetology multistate license who meets the requirements specified at A.R.S. § 32-583 may apply for a multistate license by submitting an application form available on the Board's licensing portal and paying the fee required in R4-10-102.

R4-10-202. Application for a Personal Cosmetology, Aesthetics, Hairstyling, Nail Technology, or Barber License by Examination

- A.** An applicant for an aesthetics, cosmetology, hairstyling, nail technology, or barber license by examination shall submit to the Board:
1. The fee required for an initial personal license in R4-10-102;
 2. A passport-style photo of the applicant; and
 3. An application form available on the Board's website licensing portal that contains:
 - a. The applicant's name, full mailing and ~~physical addresses~~, email ~~address~~ addresses, telephone number, Social Security number, and birth date;
 - b. ~~The name and address of each licensed school attended by the applicant;~~
 - e. ~~The name of course completed, the name of the school where completed, and the starting date and date of graduation;~~
 - d-b. ~~If previously licensed by the Board, type of license, and license number; license expiration date, and the name used on the license;~~
 - e-c. A statement of whether the applicant has ever had an aesthetics, cosmetology, hairstyling, nail technology, or barber license suspended or revoked in any state of the United States or foreign country; and
 - f-d. The applicant's signature verifying the information provided is true and correct; and
 4. Documentation specified under A.R.S. § 41-1080 indicating the applicant's presence in the United States is authorized under federal law.
- B.** In addition to complying with the requirements in subsection (A), an applicant for an aesthetics, cosmetology, hairstyling, nail technology, or barber license by examination shall:
1. Comply with A.R.S. § ~~32-322~~, 32-510, 32-511, 32-512, ~~or 32-512.01, or 32-512.02~~ by being at least 18 years old or, if younger than 18, by submitting documentation of two years of high school or its equivalent;
 2. Comply with A.R.S. § ~~32-322~~, 32-510, 32-511, 32-512, ~~or 32-512.01, or 32-512.02~~ by submitting a copy of one of the following:
 - a. If the applicant graduated from a course presented by a school licensed by the Board, a copy of the certificate of graduation required under R4-10-305(E);
 - b. ~~If the applicant attended more than one school in Arizona, a copy of a certificate of hours from each school attended, as required under R4-10-305(E)~~ Proof of passing all required examinations;
 - c. If the applicant completed an apprenticeship program described under A.R.S. §§ ~~32-322, 32-510(A)(2)(e), 32-511(A)(3)(e), 32-512(A)(3)(e), or 32-512.01(A)(3)(e)~~ 32-510(3)(c)(ii), 32-511(3)(c)(ii), 32-512(3)(c)(ii), 32-512.01(3)(c)(11), or 32-512.02(B)(2)(c) a notice of completion from the Department of Economic Security; and
 - d. If the applicant graduated from a course presented by a school in another state or country, evidence the school's requirements at the time the applicant graduated were substantially ~~the same as~~ equivalent to those required by the Board; ~~and~~
 - e. Comply with R4-10-102 regarding examination fees.

R4-10-203. Personal License; Instructor License, or Registration Renewal

An aesthetician, cosmetologist, hairstylist, nail technician, barber, or instructor licensee or an eyelash technician registrant shall ~~electronically~~ submit through the Board's licensing portal an application for renewal ~~to the Board~~ on or before the licensee's or registrant's birthday every two years. A renewal application consists of:

1. A form ~~provided by the Board~~ that ~~contains~~ confirms the licensee's or registrant's name, address, email address, Social Security number, and signature;
2. If the documentation submitted at the time of initial licensure or registration did not establish citizenship in the United States or was ~~not a non-expiring~~ an expiring work authorization, documentation specified under A.R.S. § 41-1080 that the licensee's or registrant's presence in the United States continues to be authorized under federal law;
3. A statement of whether the licensee or registrant has changed the licensee's or registrant's name since the previous application and, if the name has changed, a copy of a legal document, such as a marriage license, divorce decree, or driver license showing the name change; ~~and~~

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4. The fee required in R4-10-102; ~~and~~
5. Every four years, a passport-style photo.

R4-10-204. Reactivating an Inactive or Expired License or Registration

- A. A cosmetology, hairstyling, nail technology, aesthetics, barbering, or instructor license or eyelash technician registration that has been inactive or expired for fewer than two years may be reactivated by paying the delinquent renewal fee.
- B. A cosmetology, hairstyling, nail technology, aesthetics, barbering, or instructor license or eyelash technician registration that has been inactive or expired for more than ~~two~~ three years; but fewer than five years, may be reactivated by the inactive or expired licensee or registrant paying the delinquent renewal ~~fee fees~~, as described in R4-10-102, ~~and paying for and completing the infection protection class and law review class requirements; offered specified~~ by the Board.
- C. If a cosmetology, hairstyling, nail technology, aesthetics, barbering, or instructor license or eyelash technician registration has been inactive or expired for more than five years, the inactive or expired licensee or registrant shall pay five years of delinquent renewal fees and comply with all application requirements in R4-10-202, ~~R4-10-A202, R4-10-B201, or R4-10-B202 as applicable, R4-10-207~~ before practicing or teaching barbering, cosmetology, aesthetics, hairstyling, nail technology, or eyelash technology in Arizona.

PART A. BARBERING REPEALED

R4-10-A201. Examinations Repealed

Required examinations:

1. ~~Except for an applicant for licensure by reciprocity or universal recognition, an applicant for a barber or instructor license shall pass an examination covering the topics listed in A.R.S. § 32-324(A); and~~
2. ~~As authorized under A.R.S. § 32-322(A)(2) and A.R.S. § 32-323(A)(2), the Board shall ensure that applicants for licensure by reciprocity and universal recognition possess necessary qualifications by requiring:~~
 - a. ~~All applicants for licensure by reciprocity or universal recognition to pass an examination regarding A.R.S. Title 32, Chapter 3 and this Chapter; and~~
 - b. ~~Applicants for licensure by reciprocity or universal recognition as an instructor to pass an examination regarding procedures the Board uses to measure the practical skills of barbering students.~~

R4-10-A202. Application for a Barber Instructor License by Examination Repealed

- ~~A. An applicant for licensure by examination as an instructor shall attach the following to the application form required under subsection (B):~~
 1. ~~Proof the applicant is at least 19 years old;~~
 2. ~~Proof the applicant has a high school diploma or its equivalent;~~
 3. ~~Proof the applicant has practiced barbering for at least one year. The proof shall contain the notarized signature of the barber or barbers where the work was performed;~~
 4. ~~Documentation specified under A.R.S. § 41-1080(A) that the applicant's presence in the U.S. is authorized under federal law;~~
 5. ~~A photograph of the applicant that is passport style and suitable for use on an identification card; and~~
 6. ~~The applicable fee specified in R4-10-102. Unless exempt under A.R.S. § 32-323(C), the applicant shall also pay the examination fee as directed under R4-10-102.~~
- ~~B. An applicant for licensure as an instructor by examination shall submit an application form, which is available on the Board's website, and provide the following information:~~
 1. ~~Full name;~~
 2. ~~Other names, if any, by which the applicant has been known;~~
 3. ~~Full mailing and physical addresses and email address;~~
 4. ~~Telephone number;~~
 5. ~~Social Security number;~~
 6. ~~Birth date;~~
 7. ~~Current Arizona barber license number;~~
 8. ~~If the applicant attended an Arizona school for training as a barber instructor, a copy of the certificate of graduation required under R4-10-305(E);~~
 9. ~~A statement regarding whether the applicant:~~
 - a. ~~Has ever been licensed as a barber instructor in Arizona and if so, when;~~
 - b. ~~Has ever been a licensed barber instructor in any other country or state and if so, the country or state and dates of licensure as a barber instructor; and~~
 - c. ~~Has had a former instructor license suspended or revoked in the five years before the date of application and if so, a complete explanation of the circumstances;~~
 10. ~~Any other information required by the Board; and~~
 11. ~~The applicant's signature and verification that the information provided is true and correct.~~

PART B. COSMETOLOGY REPEALED

~~R4-10-B201, R4-10-205. Renumbered~~ Application for an Instructor License by Examination

- A. An applicant for an aesthetics, cosmetology, hairstyling, nail technology, or barber instructor license by examination shall submit to the Board:
 1. The fee required for an initial personal license in under R4-10-102;
 2. A passport-style photo of the applicant; and
 3. An application form available on the Board's website licensing portal that contains:

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- a. The applicant's name, full mailing and ~~physical addresses~~, email ~~address~~ addresses, telephone number, Social Security number, and birth date;
 - b. ~~The name and address of each licensed school attended by the applicant;~~
 - e. ~~The name of course completed, the name of the school where completed, and the starting date and date of graduation;~~
 - d. If previously licensed by the Board, type of license; and license number; ~~license expiration date, and the name used on the license;~~
 - e. A statement of whether the applicant has ever had an instructor license suspended or revoked in any state of the United States or foreign country; and
 - f. The applicant's signature verifying the information provided is true and correct; and
4. Documentation specified under A.R.S. § 41-1080 indicating the applicant's presence in the United States is authorized under federal law.
- B.** In addition to complying with the requirements in subsection (A), an applicant for an instructor license by examination shall:
- ~~1. Comply with A.R.S. § 32-531 by submitting the following:~~
 - ~~a.1. Documentation, as specified in subsection (B)(3), of required work experience. Proof the applicant is at least 16 years old and has a high school diploma or the equivalent of a high school diploma or is at least 18 years old;~~
 - ~~b.2. Proof of current licensure, in good standing, in the discipline in which ~~work experience was gained~~ the applicant is applying for an instructor license;~~
 - ~~e.3. Proof of licensure during the period work experience was gained passing both the written and practical instructor examinations; and~~
 - ~~d.4. Proof of being at least 18 years old; or completing the infection protection and law review requirements specified by the Board;~~
 - ~~e. Proof of graduation from high school or its equivalent.~~
 - ~~2. Comply with A.R.S. § 32-531(3) by submitting a copy of one of the following documents:~~
 - ~~a.5. If the applicant graduated from a course presented by a school licensed by the Board, a copy of the certificate of graduation required under R4-10-305(E);~~
 - ~~b. If the applicant attended more than one school in Arizona, a copy of a certificate of hours from each school attended, as required under R4-10-305(E);~~
 - ~~e. If the applicant completed an apprenticeship program as described under A.R.S. §§ 32-510(A)(2)(e), 32-511(A)(3)(e), 32-512(A)(3)(e), or 32-512.01(A)(3)(e), a notice of completion from the Department of Economic Security;~~
 - ~~d.6. If the applicant graduated from a course presented by a school in another state or country, evidence the school's requirements at the time the applicant graduated were substantially the same as equivalent to those required by the Board; and~~
 - ~~7. Documentation of at least one year of practice in the discipline for which the applicant is applying for an instructor license. The documentation shall be on a form supplied by the Board and signed by the owner or manager of an establishment or an individual with knowledge of the applicant's practice based on direct observation.~~
 - ~~3. Submit documentation of the work experience required by A.R.S. § 32-531, which shall be signed by an owner or manager of an establishment, an individual, or a supplier of cosmetology products with knowledge based on actual observation of the applicant's licensed experience in the discipline for which the applicant seeks an instructor license. The person providing the documentation verifying the applicant's experience shall also indicate the following:~~
 - ~~a. Discipline in which applicant gained the experience;~~
 - ~~b. Starting and ending dates of applicant's experience in the discipline;~~
 - ~~e. Name of licensed establishment and address where applicant gained experience in the discipline; and~~
 - ~~d. License number and name of the licensed individual completing the form; or~~
 - ~~e. Name, address, and telephone number of the individual providing the information.~~

R4-10-206. Renumbered Application for an Instructor License by Reciprocity or Universal Recognition

- A.** License by reciprocity under A.R.S. § 32-532(1). An applicant for an aesthetics, cosmetology, hairstyling, nail technology, or barber instructor license by reciprocity under A.R.S. § 32-532(1) shall submit the applicable fee required in R4-10-102 and all the following to the Board:
- 1. An application form available on the Board's licensing portal that contains:
 - a. The applicant's name, full mailing and email addresses, telephone number, Social Security number, and birth date;
 - b. If previously licensed by the Board, the type of license and license number;
 - c. A statement of whether the applicant has ever had an aesthetics, cosmetology, hairstyling, nail technology, barber, or instructor license suspended or revoked in any state of the United States or foreign country; and
 - d. The applicant's signature verifying the information provided is true and correct;
 - 2. A passport-style photo of the applicant;
 - 3. Certification from the state in which the applicant is licensed as an instructor that the applicant's license is current and in good standing; and
 - 4. Documentation specified under A.R.S. § 41-1080 indicating the applicant's presence in the United States is authorized under federal law.
- B.** License by reciprocity under A.R.S. § 32-532(2). An applicant for an aesthetics, cosmetology, hairstyling, nail technology, or barber instructor license by reciprocity under A.R.S. § 32-532(2) shall submit the applicable fee required in R4-10-102 and all the following to the Board:
- 1. The documents required under subsections (A)(1), (A)(2), and (A)(4);
 - 2. Certification from the state in which the applicant is licensed as an aesthetician, cosmetologist, hairstylist, nail technician, or barber that the applicant's license is current and in good standing; and

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3. Proof the applicant has at least one year of instructor experience in another state or country in aesthetics, cosmetology, hairstyling, nail technology, or barbering or any combination of these disciplines.
- C. License by reciprocity under A.R.S. § 32-532(3). An applicant for an aesthetics, cosmetology, hairstyling, nail technology, or barber instructor license by reciprocity who does not qualify under subsection (A) or (B) shall submit the applicable fee required in R4-10-102 and all the following to the Board:
 1. The documents required under subsections (B)(1) and (B)(2):
 2. Proof the applicant is at least 16 years old and has a high school diploma or the equivalent of a high school diploma or is at least 18 years old;
 3. Proof of five years of licensed experience in aesthetics, cosmetology, hairstyling, nail technology, or barbering or any combination of these disciplines within the ten years immediately preceding application;
 4. Proof of graduating in another state or country from an instructor training program that has educational requirements substantially equivalent to those of this state; and
 5. Proof of passing both the written and practical instructor examinations required for an instructor license.
- D. License by universal recognition. An applicant for an aesthetics, cosmetology, hairstyling, nail technology, or barber instructor license who meets the requirements specified at A.R.S. § 32-4302 is eligible for licensure by universal recognition. To apply for instructor licensure by universal recognition, an applicant shall submit the applicable fee required in R4-10-102 and all of the following to the Board:
 1. An application form available on the Board's licensing portal that contains:
 - a. The applicant's name, full mailing and email addresses, telephone number, Social Security number, and birth date; and
 - b. The applicant's signature verifying the information provided is true and correct;
 2. A passport-style photo of the applicant;
 3. Certification from a state in which the applicant is licensed as an instructor that the applicant's license is active and in good standing;
 4. Proof the applicant has been licensed for at least one year;
 5. Documentation specified under A.R.S. § 41-1080 indicating the applicant's presence in the United States is authorized under federal law; and
 6. Proof of Arizona residency.

~~R4-10-B202~~**R4-10-207. Renumbered Application for an Eyelash Technician Registration**

An applicant for an eyelash technician registration shall submit to the Board:

1. The fee for an initial personal registration required in R4-10-102;
2. A passport-style photo of the applicant;
3. An application, on a form available on the Board's website licensing portal, that provides:
 - a. The applicant's name, full mailing and ~~physical addresses~~, email address addresses, telephone number, Social Security number, and birth date;
 - b. ~~For a licensed cosmetologist or aesthetician, one of the following:~~
 - i. ~~If the applicant was licensed by the Board as a cosmetologist or aesthetician before October 30, 2023, the license number; or~~
 - ii. ~~A copy of the provisional registration required under A.R.S. § 32-519(A)(3) verifying successful completion of a Board-approved eyelash technician training program;~~
 - e-b. For an individual not previously licensed by the Board, one of the following:
 - i. A copy of any eyelash extension training certificate of completion received before October 30, 2023; or
 - ii. A copy of the provisional registration required under A.R.S. § 32-519(A)(3) verifying successful completion of a Board-approved eyelash technician training program;
 - ~~e-c.~~ A statement of whether the applicant has ever had an aesthetics, cosmetology, hairstyling, nail technology, or instructor license suspended or revoked in any state of the United States or foreign country; and
 - e-d. The applicant's signature verifying the information provided is true and correct;
4. ~~Documentation~~ As required under A.R.S. § 32-519, documentation of being at least 18 years old or if not, documentation of completing two years of high school or its equivalent as defined at R4-10-101; and
5. Documentation specified under A.R.S. § 41-1080 indicating the applicant's presence in the United States is authorized under federal law.

ARTICLE 3. SCHOOLS; EYELASH TECHNOLOGY TRAINING PROGRAM

R4-10-301. License to Operate a School

- A. A license to operate a school is not transferrable.
- B. To continue to operate a school, a school licensee shall apply for a new license and pay the fee specified under R4-10-102 when:
 1. The physical address of the school changes;
 2. The name of the school changes; or
 3. There is ~~a~~ any change of ownership of the school.
- C. The school licensee shall submit the application and fee required under subsection (B) within 10 days after a change specified under subsection (B) occurs.
- D. The school licensee shall ensure a Board-issued license to operate the school, indicating the correct name, physical location, and ownership of the school, is posted in the school before the school is opened for business.

R4-10-302. Application for a License to Operate a Barber, Cosmetology, Aesthetician, Hairstyling, or Nail Technology School

- A. An applicant for a license to operate a barber, cosmetology, aesthetician, hairstyling, or nail technology school shall submit:

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1. An application, on a form available on the Board's ~~website~~ licensing portal, which ~~is signed by the applicant and~~ provides the following information:
 - a. The applicant's name, full mailing, physical, and email addresses, federal tax identification number, and telephone number;
 - b. If the applicant is an individual or sole proprietor, the applicant's Social Security or federal tax identification number;
 - ~~b.c.~~ c. If the applicant is a partnership, each partner's name, address, and an identification of whether each is a limited or general partner;
 - ~~e.d.~~ d. If the applicant is a corporation, the state of incorporation and name, title, and address mailing and email addresses, and telephone number of at least two officers each officer of the corporation and the statutory agent;
 - ~~d.e.~~ e. If the applicant is a limited liability company, name, and address mailing and email addresses, and telephone number of each member, manager, and statutory agent;
 - ~~e.f.~~ f. If the applicant is an Arizona school district or community college:
 - i. Office address of the school district or community college, and
 - ii. Number of the school district and name of the superintendent, or
 - iii. Name of the community college dean;
 - ~~f.g.~~ g. Documentation specified under A.R.S. § 41-1080(A) that the presence in the U.S. of all individuals owning at least 10 percent of the applicant the individual specified under subsection (A)(1)(b) is authorized under federal law;
 - ~~g.h.~~ h. The name and Board-issued license number of the instructor in charge of the school;
 - ~~h.~~ i. If a change of ownership, the date the applicant will be assuming ownership;
 - ~~i.~~ j. If a change of location, both the old and new physical addresses of the school;
 - ~~j.i.~~ k. If a new school, the The scheduled date for opening the school; and
 - ~~k.j.~~ l. A statement signed attestation by the applicant verifying the information provided is true and correct;
 2. A Certificate of Good Standing from the Arizona Corporation Commission, if applicable.
 3. A signed ~~statement~~ attestation that the school has the equipment required by statute and rule;
 4. An unexecuted student-school contract form, as required under R4-10-305;
 5. An operating schedule that includes the hours of each day and each day of a calendar week during which the school will be open for instruction;
 6. A proposed schedule of courses to be taught at the school;
 7. The name, full mailing address, email address, and telephone number of ~~a the~~ the bonding company, ~~as required under A.R.S. § 32-325(C) or 32-551, as applicable, the number and expiration date of the bond, and a copy of the bond required under A.R.S. § 32-551;~~
 8. A copy of all school policies and procedures;
 9. A school catalog that contains the information required under A.R.S. § 32-559 and:
 - a. The number of days during course enrollment necessary to complete the course hours;
 - b. The days and hours of operation, vacation periods, and holidays; and
 - c. Policies regarding leaves of absence, refunds, and vacation approval for students; ~~and~~
 10. A copy of the Certificate of Graduation required under R4-10-305(E) that will be given to students who successfully complete the course of study; and
 - ~~10.11.~~ The fee required in R4-10-102.
- B. Demonstrate compliance with A.R.S. Title 32, Chapter ~~3 or 5, as applicable,~~ and this Chapter through a school inspection conducted by the Board. The Board shall schedule the inspection only after the applicant has submitted a complete application. The applicant shall not open a school until the inspection is completed and the Board determines the school complies with all requirements.

R4-10-303. Application to Renew a License to Operate a School

A school licensee shall annually submit ~~to~~ through the Board's licensing portal an ~~electronic~~ application for renewal on or before the license renewal date. A renewal application consists of:

1. ~~A renewal application consists of:~~
 - ~~a.~~ A form provided by the Board that contains:
 - ~~i.~~ The the school's name; and
 - ~~ii.~~ The the licensee's license number; and,
 - ~~iii.~~ If the licensee is an individual or partnership, the signature and tax identification number of the licensee or if the licensee is a corporation or limited liability company, the signature of the authorized signer and the tax identification number of the corporation or limited liability company;
2. A statement that indicates:
 - a. Any modifications, additions, or deletions to the previously submitted catalog;
 - b. Any changes that have occurred regarding the school's accrediting or approving organization; and
 - c. The school continues to maintain all equipment required by statute and rule;
3. A subject description for each new course, if applicable;
4. The name, full mailing and ~~physical addresses, and~~ email address addresses, and telephone number of a new statutory agent if the statutory agent will change beginning with the new license year;
5. The name and license number of the instructor in charge of the school;
6. The name, full mailing ~~address, and~~ email address addresses, and telephone number of the bonding company, the bond number, expiration date of the bond, and a copy of the bond required under A.R.S. § ~~32-325 or~~ 32-551;
7. If the school licensee is an individual or sole proprietor:

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- i. Who has not previously submitted to the Board proof of citizenship or lawful presence in the United States, documentation specified under A.R.S. § 41-1080 that the school licensee's presence in the United States is authorized under federal law; or
 - ii. ~~If the documentation submitted at the time of initial licensure was not a non-expiring~~ Who previously submitted an expiring work authorization, documentation specified under A.R.S. § 41-1080 that the school licensee's presence in the United States continues to be authorized under federal law; and
8. The fee required in R4-10-102.

R4-10-304. Notification of Changes

- A. A school licensee shall send written notice and updated information to the Board within 10 days if the school licensee:
- 1. Amends the school catalog or school policies,
 - 2. Stops offering a course or offers a new course,
 - 3. Appoints a new statutory agent,
 - 4. Changes the number of instructional hours devoted to a course,
 - 5. Changes the hours during which instruction is provided,
 - 6. Changes the school supervisor,
 - 7. Enters a new contract regarding management of the school, or
 - 8. Establishes an offsite training facility ~~in an establishment.~~
- B. A change listed under R4-10-301 requires the school licensee to apply for a new license.

R4-10-304.1 School Closure

- A. The Board shall consider a school to be closed if the school licensee fails for five consecutive school days to ensure instruction is provided in accordance with the schedule of operations on file with the Board.
- 1. The school licensee shall notify all enrolled students and employees in writing of a pending closure at least five calendar days before closure of the school, unless the time of closure could not have been anticipated. A copy of the notice shall be sent to the Board at the time the notice is delivered to students and employees.
 - 2. The licensee of a closed school shall release students' and employees' personal belongings, including equipment, tools, and instruments at the time of closure.
 - 3. The licensee of a closed school shall provide students with written information regarding how to make a claim against the bond required under A.R.S. § ~~32-325(C)(6) or 32-551(A)(2), as applicable.~~
 - 4. The licensee of a closed school shall electronically deliver or otherwise send the following student records to the Board within 10 business days after the school closes:
 - a. Copies of hour sheets documenting all student hours and the current time cards or time records received by the student after the last monthly report before the school closed;
 - b. A copy of the file of each student who was enrolled the last school day before closure. If a teach-out was arranged with another school, the licensee of the closed school shall transfer the student's file to that school; and
 - c. A written statement signed by each enrolled student verifying the school licensee's compliance with all provisions of this Section that apply to students.
- B. The Board shall consider failure to comply with subsection (A) as possible grounds for refusal to issue a school license to an owner, or the licensee of the school at the time of closure.

R4-10-305. School Records; Student Certificates

- A. A school licensee shall maintain a student's records at the school where the student is enrolled. The Board may inspect the records at any time the school is open.
- B. A school licensee shall ensure that when a student withdraws or transfers from one school to another, the school from which the student is transferring or withdrawing:
- 1. Keeps a copy of the student's transcript, and
 - 2. Forwards ~~one~~ a copy of the student's certificate of hours, required under subsection (E), to the student ~~and another copy to the Board~~ within three days of the date of transfer or withdrawal; ~~and~~
 - 3. ~~Removes the student from the school records and monthly report submitted to the Board in the month following the transfer or withdrawal.~~
- C. A school licensee shall ensure the following are maintained:
- 1. A complete and accurate record of the time devoted by each student to the enrolled course of study, including hours devoted to alternative learning and field trips;
 - 2. A complete and accurate record that shows the basis for certification of the student hours. A school licensee shall certify only hours of training the student receives at the licensee's school or transfer hours the school licensee accepts from another licensed school in Arizona or another state or country;
 - 3. A complete and accurate individual student file for each student enrolled containing:
 - a. Executed student-school contract;
 - b. ~~Financial aid transcript;~~
 - e-b. Proof of being at least 16 years old ~~and or having~~ two years of high school or its equivalent for a student enrolled in an aesthetics, cosmetology, hairstyling, nail technology, or barbering course or proof of high school diploma or its equivalent or 18 years of age for a student enrolled in an aesthetics, cosmetology, hairstyling, ~~or~~ nail technology, or barber instructor course ~~or 19 years of age for a student enrolled in a barbering instructor course;~~
 - d-c. Proof of licensed work experience an active license in good standing in the discipline for which a student instructor is enrolled;

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- i. ~~Under A.R.S. § 32-531, one year for aesthetics, cosmetology, hairstyling, or nail technology; and~~
- ii. ~~Under A.R.S. § 32-323, two years for barbering;~~
- e.d. A statement signed by a school administrator and the student that provides a list of the supplies contained in the training kit provided to the student; and
- f.e. A record of transfer and crossover hours, if applicable; and
- 4. Complete and accurate academic transcripts and attendance and hour records or time cards.
- D. A school licensee shall keep a complete and accurate monthly report, containing the following information:
 - 1. Only for each student enrolled since the prior monthly report:
 - a. Name;
 - b. Enrollment date;
 - c. Mailing, physical, and email addresses;
 - d. Telephone number;
 - e. Transfer hours accepted, if applicable;
 - f. Crossover hours accepted, if applicable; and
 - g. Birth date.
 - 2. The discipline in which each student is enrolled;
 - 3. The name and license number of the instructor in charge of the school and name of the custodian of records;
 - 4. The name and license number of each instructor employed by the school licensee;
 - 5. The signature of the instructor who prepares and certifies the report is correct;
 - 6. The name, scheduled attendance, and Board-issued license number for each student instructor;
 - 7. For each demonstration given, the name of the demonstrator, name of the observing instructor, name of the process or product demonstrated, number of students in attendance, and name of the course in which the demonstration was given;
 - 8. Hours received by each student for the prior month, the current month, and total cumulative hours. The school licensee shall not amend total hours without satisfactory proof of error;
 - 9. The school licensee's certification of the students who meet graduation requirements, including the day, month, and year of graduation; and
 - 10. The notation "transferred," "withdrawn," or "leave of absence" for students who discontinue training, and the day, month, and year training was discontinued.
- E. A school licensee shall provide the following certificates to each student:
 - 1. Certificate of graduation. When a student successfully completes the course of study offered by the school licensee, the school licensee shall provide the student with a certificate of graduation that includes the following information:
 - a. Name of the school;
 - b. License number of the school licensee;
 - c. Name of the graduating student;
 - d. Discipline in which the student completed the course of study;
 - e. Hours of study completed at the school;
 - f. Transfer hours accepted by the school licensee, if applicable;
 - g. Crossover hours accepted by the school licensee, if applicable;
 - h. Grand total of the hours under subsections (E)(1)(e) through (g);
 - i. The dates on which the student started and ended the course of study at the school; and
 - j. Dated signature of the school licensee or authorized representative.
 - 2. Certificate of hours. When a student withdraws or transfers from one school to another, the school licensee shall provide the student with a certificate of hours that includes the following information:
 - a. Name of the school;
 - b. License number of the school licensee;
 - c. Name of the withdrawing or transferring student;
 - d. Discipline in which the student was enrolled;
 - e. Hours of study completed at the school;
 - f. The date on which the student started the course of study at the school and the date on which the student withdrew or transferred; and
 - g. Dated signature of the school licensee or authorized representative.
- F. A school licensee shall credit a student with additional hours earned after graduation if the student completes the required hours for graduation, registers for the required examination, and stays in school until the date of the examination.
- G. A school licensee ~~is not required to maintain a student file for licensed individuals~~ shall ensure records of student hours, transcripts, withdrawal forms, copies of certificates of graduation, and copies of certificates of hours are maintained for at least 25 years.

R4-10-306. General Barber, Cosmetology, Aesthetics, Hairstyling, or Nail Technology School Requirements

- A. The licensee of a barber, aesthetics, cosmetology, hairstyling, or nail technology school shall ensure the school complies with R4-10-112 and has the following minimum facilities, equipment, supplies, and materials:
 - 1. An area of instruction for students;
 - 2. Sufficient instructional fixtures and facilities for instructor and student use;
 - 3. A board on which to write or post materials during instruction;
 - 4. A secured area for personal items of students and instructors;
 - 5. A sink area for every 50 students in attendance for preparing, mixing, and dispensing supplies and chemicals, and for disinfecting small tools or instruments;

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6. At least one restroom that meets the requirements of R4-10-112; and
 7. Separate receptacles for garbage and soiled linens.
- B.** The school licensee shall furnish equipment, tools, instruments, materials, and supplies needed to perform assignments and for instructional purposes, except each student may be required to furnish small tools or instruments. The school licensee shall ensure all equipment, tools, and materials are establishment quality and maintained in good repair at all times.
- C.** The school licensee shall ensure students have access to the following materials whether in a school library or electronically:
1. Standard dictionary;
 2. Medical dictionary;
 3. Anatomy chart on bones, muscles, nerves, hands, arms, nails, veins, arteries, circulatory system, hair, and skin;
 4. ~~Current instruction manuals or textbooks~~ for aesthetics, barbering, cosmetology, hairstyling, or nail technology ~~instruction manuals or textbooks, as applicable to~~ that adhere to curriculum and examination requirements for the disciplines taught at the school; and
 5. Current Board statutes and rules.
- D.** The school licensee may allow a student to satisfy theory curriculum requirements by participating in virtual learning.
- E.** The school licensee shall maintain at the school a complete file on all current curriculum requirements.
- F.** The school licensee shall not pay an enrolled student for time while the student is taking courses or receiving credit. Under A.R.S. § 32-557(C), an employee who is enrolled in a school for the purpose of becoming an instructor may be paid for work done as an employee.
- G.** The school licensee may offer a postgraduate or advanced continuing education barber, aesthetics, cosmetology, hairstyling, or nail technology course to currently licensed individuals without a licensed instructor present and to students currently enrolled in the school with a licensed instructor present. The school licensee shall not report postgraduate credit hours to the Board or apply the hours toward graduation.
- H.** The school licensee shall not allow enrolled students to perform services on a person without a licensed instructor present.
- I.** A school licensee may enroll an individual licensed by the Board in the school for a refresher course as a current student.
- J.** A school licensee shall establish a periodic grading schedule and ensure student transcripts are kept current.
- K.** A school licensee shall ensure each student is evaluated for progress and suggestions are provided to the student for remediating deficiencies.
- L.** A school licensee shall schedule a minimum of four hours of theory courses each week for each full-time student and a minimum of two hours of theory courses each week for each part-time student.
- M.** A school licensee shall ensure safety and infection control measures relating to each subject are taught in conjunction with that subject.
- N.** A school licensee shall not solicit students for enrollment at other school sites.
- O.** A school licensee shall ensure that while teaching, instructors wear a tag indicating the instructor's name and disciplines taught.
- P.** A school licensee shall ensure compliance with the following:
1. A student does not attend school more than 56 hours in any one week;
 2. A student operates only safe equipment in good repair;
 3. A student of barbering, aesthetics, cosmetology, hairstyling, or nail technology performs services within the enrolled course, on the public or fellow students, only in the presence of a licensed instructor and, except for shampooing, only after completing the specified hours applicable to the student:
 - a. 120 hours of aesthetics training;
 - b. 300 hours of barbering, cosmetology, or hairstyling training; or
 - c. 80 hours of nail technology training;
 4. The school licensee does not receive remuneration for clinical services a student performs for the public until the student has completed the applicable hours specified in subsection (P)(3);
 5. A student is not prevented or discouraged from making a complaint to the Board;
 6. A student is not dismissed from a scheduled theory instruction or written or practical examination to perform clinical services for the public;
 7. While in school, each student wears a tag indicating the student's name and the course in which the student is enrolled; and
- Q.** The school licensee shall ensure a nonreturnable student training kit, containing at least the following, is provided to each enrolled student:
1. One disinfected, covered container to store disinfected tools and instruments as specified under R4-10-112; and
 2. One container for contaminated tools and instruments as specified under R4-10-112.

PART A. BARBERING

R4-10-A301. Barbering School Operations

- A.** A barbering school licensee shall ~~file the school's operating schedule with the Board at the time of the initial inspection~~ comply with R4-10-306.
- B.** The barbering school licensee shall ensure all equipment provided under this Chapter is establishment quality and maintained in good repair.
- C.** ~~Unless a student who is studying barbering possesses the equipment listed under this subsection at the time of enrollment, the~~ The barbering school licensee shall provide ~~the~~ each student with a non-returnable training kit that includes the following equipment, all of which are new:
1. Course textbooks,
 2. One mannequin for barbering practice,
 3. Twelve combs and four brushes,

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4. One hair dryer,
 5. One straight razor with interchangeable blades,
 6. One pair of haircutting shears with at least six-inch blades,
 7. One pair of thinning shears,
 8. One clipper with interchangeable blades sizes 1 and .000 or an adjustable clipper,
 9. One neck duster, and
 10. One copy of the current statutes and rules governing the Board.
- D.** As provided under R4-10-307(~~D~~)(E), a student instructor shall not teach students until the student instructor has received 80 hours of training in methods of teaching.
- E.** ~~The barbering school licensee shall ensure a student wears a name tag that includes the student's name and status as a student whenever the student is at the barbering school.~~

R4-10-A302. Barbering School 1200-hour Curriculum Requirements

In addition to complying with the minimum requirements under A.R.S. § ~~32-325~~ 32-551, ~~the a~~ barbering school licensee shall include instruction in the following:

1. Professional ethics;
 2. Establishment management;
 3. At least 250 hours of instruction regarding:
 - a. The fundamentals of barbering;
 - b. Hygiene;
 - c. Bacteriology;
 - d. Histology of the hair, skin, muscles, and nerves;
 - e. Structure of the head, face, and neck;
 - f. Elementary chemistry relating to sterilization and antiseptics; and
 - g. Diseases of the skin, hair, and glands;
 4. At least 950 hours of instruction regarding:
 - a. The practice and study of massaging and manipulating muscles of the scalp, face, and neck;
 - b. Hair cutting;
 - c. Shaving; and
 - d. Chemical work relating to permanent waves, hair straightening, coloring, and bleaching; and
- ~~3-5.~~ Regulatory provisions prescribed under A.R.S. Title 32, Chapter ~~3~~ 5, and this Chapter.

R4-10-A303. Offsite Training Facility

- A.** A barbering school licensee may operate an offsite training facility ~~in an establishment~~ that complies with the provisions of ~~Article 4, Part A of this Chapter, and portions of~~ R4-10-306 applicable to the instruction provided at the offsite training facility, R4-10-A302(~~D~~)(5), and R4-10-A303(B).
- B.** In addition to the requirements of subsection (A), a barbering school licensee operating an offsite training facility shall:
- ~~1. Clearly indicate to the public the specific portion of the establishment designated as an offsite training facility;~~
 - ~~2-1.~~ Post a sign indicating that barbering services at the offsite training facility are provided by students,
 - ~~3-2.~~ Require a student to give oral notice of status as a student to each client, and
 - ~~4. Restrict student barbering to the portion of the establishment designated as an offsite training facility;~~
 - ~~5-3.~~ Ensure a student receives no more than ~~50~~ 25 percent of the student's training at the offsite training facility.

PART B. COSMETOLOGY

R4-10-B305. Distant Classrooms

If an aesthetics, cosmetology, hairstyling, or nail technology school has a distant classroom, the school licensee shall ensure the equipment in the distant classroom is the same as that required under R4-10-305 and R4-10-306; and:

1. Private postsecondary and public educational facilities do not extend beyond Arizona boundaries;
2. A copy of the Board-issued license to operate the school ~~or Board-issued, wallet-size license card to operate the school~~ is posted in each distant classroom;
3. ~~Duplicate instructor licenses are not required~~ A copy of the Board-issued license for each instructor providing instruction in the distant classroom is posted in a the distant classroom; and
4. No clinic or public services are provided in the distant classroom.

R4-10-B306. Approval of an Eyelash Technician Training Program

- A.** Board approval of an eyelash technician training program is non-transferable.
- B.** To obtain Board approval of an eyelash technician training program, an applicant shall submit the following to the Board:
1. An application form available on the Board's website licensing portal that contains:
 - a. The applicant's name, full mailing, ~~and physical addresses, and email address addresses,~~ federal tax identification number, and telephone number;
 - b. Name of person responsible for the eyelash technician training program if different from the applicant;
 - c. Name of the instructor who will be in charge of the approved training program and evidence the instructor meets the qualifications specified in R4-10-B307(B);
 - d. An outline of the training program including the topics to be addressed, hours devoted to each topic, and evidence the training program will comply with the standards specified in R4-10-B307(C), (D), and (E); and

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- e. A verification signed by the applicant indicating the training program has the equipment and supplies listed in R4-10-B307(A); and
- 2. A copy of the provisional registration, required under A.R.S. § 32-519, which will be completed and provided to each student to verify the student successfully completed the training program. A completed provisional registration shall include:
 - a. Name of the trainee,
 - b. Name of the approved training program,
 - c. Registration number of the approved training program.
 - ~~e.d.~~ Name of the person responsible for the approved training program,
 - ~~d.e.~~ Address of the approved training program,
 - ~~e.f.~~ Name of the instructor in charge of the approved training program,
 - ~~f.g.~~ Total number of hours of training completed, and
 - ~~g.h.~~ Dates of training completed.

R4-10-B307. Requirements of an Eyelash Technician Training Program

- A. The person responsible for an eyelash technician training program shall ensure the training program:
 - 1. Complies with R4-10-112;
 - 2. Has the following minimum equipment and supplies:
 - a. Sufficient instructional fixtures and facilities for instructor and student use;
 - b. Covered, wet disinfectant container;
 - c. EPA-registered disinfectant;
 - d. Sufficient sinks with hot and cold running water;
 - e. Separate receptacles for garbage and soiled linens;
 - f. One chalkboard or whiteboard;
 - g. Functioning time display;
 - h. A wall mirror; and
 - i. Sufficient mannequins;
 - 3. Furnish establishment-quality equipment, tools, instruments, materials, and supplies for instructional purposes and for students to perform assignments except a student may be required to furnish small tools and instruments; and
 - 4. Maintain all equipment, tools, instruments, materials, and supplies in good repair.
- B. The person responsible for an eyelash technician training program shall ensure the instructor in charge of the training program is qualified. An instructor in charge is qualified if the instructor in charge:
 - 1. Is a cosmetologist or aesthetician licensed by the Board ~~before the effective date of this Section~~ or an eyelash technician registered by the Board;
 - 2. Provides a notarized letter from an individual licensed or registered by the Board who has personal knowledge of the instructor's work and can verify that the instructor has practiced as an eyelash technician for at least 30 hours a week for two years; and
 - 3. Provides a statement indicating whether the instructor has ever had an aesthetics, cosmetology, hairstyling, nail technology, or instructor license or eyelash technology registration suspended or ~~revoke~~ revoked in any state of the United States or a foreign country.
- C. The person responsible for an eyelash technician training program shall ensure the training program includes the following minimum curriculum:
 - 1. Ten hours of preclinical theoretical instruction in:
 - a. Eye structure,
 - b. Function and disorders of the eye and orbital areas,
 - c. Eyelash growth cycles,
 - d. Contraindications and allergic reactions,
 - e. Infection control,
 - f. Eye shapes and eyelash evaluation,
 - g. Product ingredients,
 - h. Health and safety, and
 - i. Board statutes and rules; and
 - 2. Twenty hours of clinical instruction in the practical application of eyelash extensions including:
 - a. Client consultation,
 - b. Design,
 - c. Cleansing the eye area,
 - d. Applying eyelash extensions, and
 - e. Removing eyelash extensions.
- D. As part of the clinical instruction specified under subsection (C)(2), the person responsible for an eyelash technician training program shall ensure each student is required to complete clinical service exercises in:
 - 1. Applying eyelash extensions,
 - 2. Removing eyelash extensions, and
 - 3. Conducting a patch test before eyelash extension service.
- E. The person responsible for an eyelash technician training program shall ensure:
 - 1. All training is provided by the qualified instructor in charge, and
 - 2. No training is provided by a guest presenter or on a field trip.

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ARTICLE 4. ESTABLISHMENTS

R4-10-401. ~~Changes Affecting a License to Operate an Establishment; Establishment Changes~~

A. A license to operate an establishment is not transferrable.

B. An establishment suite is an establishment to which all provisions of this Article are applicable.

~~**B-C.** Except as provided in subsection (E) (G), an establishment licensee shall apply for a new license and pay the fee specified under R4-10-102 when:~~

1. The physical address of the establishment changes;
2. The name of the establishment changes;
3. ~~Ten percent or more of the ownership~~ There is any change in ownership of the establishment ~~changes~~; or
4. If the establishment licensee is a corporation, limited liability company, or partnership, a corporate officer, partner, or statutory agent changes.

~~**D.** The~~ When a change under subsection (C) occurs but the establishment licensee continues to operate the establishment, the establishment licensee shall submit ~~the application and fee required under subsection (B) within 10 days after a the change; specified under subsection (B) occurs.~~

1. An establishment closure form, which is available on the Board's licensing portal;
2. The license application specified under R4-10-402; and
3. The fee specified under R4-10-102.

E. When an establishment is sold to a new owner, the establishment licensee shall comply with subsection (D)(1) and the new owner shall comply with subsections (D)(2) and (D)(3).

~~**F.** The establishment licensee shall ensure a Board-issued license to operate the establishment, indicating the correct name, physical location, and ownership of the establishment, is posted in the establishment before the establishment is opened for business.~~

~~**F-G.** If the only change to the physical address of an establishment is the suite number, the establishment licensee shall:~~

1. Apply to update the establishment license by submitting a suite change application using a form available on the Board's licensing portal; and apply for an updated license rather than a new license and pay
2. Pay the fee specified at under R4-10-102.

R4-10-402. Application for a License to Operate a ~~Barber, Cosmetology, Aesthetics, Hairstyling, Nail, or Eyelash~~ an Establishment

An applicant for a license to operate a ~~barber, cosmetology, aesthetics, hairstyling, nail, or eyelash~~ an establishment shall submit:

1. An application on a form available on the Board's website licensing portal, and provide the following information:
 - a. The applicant's name, full mailing, physical, and email addresses, telephone number, and federal tax identification number;
 - b. If the applicant is a partnership, each partner's name, full mailing and ~~physical~~ email addresses, telephone number, and an indication of whether each is a limited or general partner;
 - c. If the ~~owner applicant~~ applicant is an individual or sole proprietor, the ~~person's applicant's~~ applicant's Social Security or federal tax identification number;
 - d. If the applicant is a corporation, the state of incorporation and name, title, ~~and mailing address and email addresses, and~~ telephone number of each officer of the corporation and the statutory agent;
 - e. If the applicant is a limited liability company, name, ~~and mailing address and email addresses, and telephone number~~ of each member, manager, and statutory agent;
 - f. Documentation specified under A.R.S. § 41-1080(A) that the presence in the U.S. of the ~~applicant and anyone owning at least 10 percent of the applicant~~ individual specified in subsection (1)(c) is authorized under federal law; and
 - ~~g. If the location of the barber, cosmetology, aesthetics, hairstyling, nail, or eyelash establishment is changing, both the old and new physical addresses;~~
 - ~~h. If a change of ownership is occurring, the date the applicant will assume ownership;~~
 - ~~i. A history of the barber, cosmetology, aesthetics, hairstyling, nail, or eyelash establishment including:~~
 - ~~i. If the location was previously licensed by the Board, the name of the previous barber, cosmetology, aesthetics, hairstyling, nail, or eyelash establishment;~~
 - ~~ii. The name of each business operating at the barber, cosmetology, aesthetics, hairstyling, nail, or eyelash establishment address; and~~
 - ~~iii.g. A statement of whether a barber, cosmetology, aesthetics, hairstyling, or nail license or eyelash technician registration of the applicant or any partner, corporate officer, or member or manager of the applicant has ever been suspended or revoked by any state or foreign country; and~~
 - ~~j. A statement of the kind of establishment to be operated: barber, cosmetology, aesthetics, hairstyling, nail technology, or eyelash technology.~~
2. A Certificate of Good Standing from the Arizona Corporation Commission, if applicable.
3. The applicant's signature and verification that the information provided is true and correct and the ~~barber, cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment is in compliance with A.R.S. Title 32, ~~Chapters 3 and Chapter 5~~, and this Chapter and has all basic equipment required to be in a ~~barber, cosmetology, aesthetics, hairstyling, nail, or eyelash~~ an establishment.
4. The fee required in R4-10-102.

R4-10-403. ~~Barber, Cosmetology, Aesthetics, Hairstyling, Nail, or Eyelash~~ Establishment Requirements and Minimum Equipment

A. A ~~barber, cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment licensee shall ensure all services performed at the establishment for the public are consistent with the type of license issued to the licensee. A ~~barber, cosmetology, aesthetics, hairstyling,~~

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~~nail, or eyelash~~ An establishment licensee shall ensure that, except as provided in ~~R4-10-B402~~ R4-10-408, all services are performed for the public by an individual who holds a Board-issued license or registration.

- B. ~~A barber, cosmetology, aesthetics, hairstyling, nail, or eyelash~~ An establishment licensee shall ensure the establishment has enough equipment, materials, supplies, tools, and instruments to control infection and protect the safety of the public and employees.
- C. ~~A barber, cosmetology, aesthetics, hairstyling, nail, or eyelash~~ An establishment licensee shall ensure the establishment has:
 - 1. A workstation for each licensee or registrant using space within the ~~barber, cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment;
 - 2. If licensees using space in the establishment are performing barbering, cosmetology, or hairstyling services, at least one shampoo bowl and one hair dryer, which may be a blow dryer; and
 - 3. If licensees or registrants using space in the establishment are performing aesthetics, nail technology, or eyelash technology services, at least one sink in addition to the restroom.
- D. ~~A barber, cosmetology, aesthetics, hairstyling, nail, or eyelash establishment licensee shall ensure licensed barbers, aestheticians, cosmetologists, hairstylists, nail technicians, and eyelash technicians have enough equipment, materials, supplies, tools, and instruments to provide services, control infection, and disinfect between clients.~~

R4-10-404. Renewal of an Establishment License

An establishment licensee shall annually submit to the Board an ~~electronic~~ application for renewal on or before the license renewal date.

- 1. ~~If the license renewal date falls on a Saturday, Sunday, or legal holiday, the licensee may file the application on the next business day following the license renewal date.~~
- 2. A renewal application consists of:
 - a. A form available on the Board’s ~~website~~ licensing portal that contains:
 - i. The establishment’s name; ~~and~~
 - ii. The licensee’s license number; ~~and~~
 - iii. ~~If the licensee is an individual or partnership, the signature and tax identification number of the licensee or if the licensee is a corporation or limited liability company, the signature of the authorized signer and the tax identification number of the corporation or limited liability company;~~
 - b. If the establishment licensee is an individual or sole proprietor:
 - i. Who has not previously submitted to the Board proof of citizenship or lawful presence in the United States, documentation specified under A.R.S. § 41-1080 that the establishment licensee’s presence in the United States is authorized under federal law; or
 - ii. the documentation Who previously submitted at the time of initial licensure was not a non-expiring an expiring work authorization, documentation specified under A.R.S. § 41-1080 that the establishment licensee’s presence in the United States continues to be authorized under federal law; and
 - c. The fee required in R4-10-102.

R4-10-405. Establishment Supervision

- A. An establishment licensee shall designate an individual licensed under this Chapter as manager to directly supervise the establishment during all hours of operation. If the establishment licensee has a personal license issued under Article 2 of this Chapter, the establishment licensee may directly supervise the establishment.
- B. The establishment licensee or manager shall ensure:
 - 1. Every individual, whether an employee or independent contractor, who practices barbering, cosmetology, aesthetics, hairstyling, nail technology, or eyelash technology in the establishment has a current license or registration issued by the Board;
 - 2. Each required license, registration, and the most recent Board inspector’s record are printed and displayed in a manner visible to establishment clients; and
 - 3. Each licensee and registrant complies with all applicable provisions of A.R.S. Title 32, Chapter ~~3~~ 5, and this Chapter.
- C. The Board shall hold the establishment licensee responsible for any violation of an applicable provision of A.R.S. Title 32, Chapter ~~3~~ 5, or this Chapter.

PART A. BARBERING REPEALED

~~R4-10-A401. Renumbered~~

~~R4-10-A401, R4-10-406, Barbering Establishment Mobile Units~~

- A. To operate a mobile unit as a ~~barbering~~ an establishment, the owner of the mobile unit shall apply for a license under ~~R4-10-A401~~ R4-10-402.
- B. The Board shall issue a license to operate a mobile unit as a ~~barbering~~ an establishment only if:
 - 1. The mobile unit is self-contained;
 - 2. The mobile unit meets all requirements for a ~~barbering~~ an establishment specified under A.R.S. Title 32, Chapter ~~3~~ 5, and this Chapter; and
 - 3. The owner of the mobile unit agrees to provide the Board with written or oral notice at least 15 days before the mobile unit is placed in a location or moved to a new location.

PART B. COSMETOLOGY REPEALED

~~R4-10-B401. Renumbered~~

~~R4-10-B401, R4-10-407, Mobile Services~~

- A. If a ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ an establishment licensee provides mobile services as an extension of the establishment, the ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment licensee shall advertise the mobile service using

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the name of the establishment on the Board-issued license. The ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment licensee and manager shall ensure mobile services comply with Board statutes and rules.

1. A ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ An establishment licensee providing mobile ~~cosmetology, aesthetics, hairstyling, nail technology, or, eyelash technology~~ services shall ensure licenses are posted as required under R4-10-111.
 2. A ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ An establishment licensee providing mobile services shall ensure client appointments are made through the ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment using an appointment book that lists the appointments and locations where services are performed.
 3. Mobile services are subject to inspection by the Board at any time.
 4. If a retrofitted motor vehicle is used to provide mobile services, the ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment licensee and manager shall ensure the vehicle has the same equipment as specified under ~~R4-10-B402~~ R4-10-403 and complies with safety and infection control requirements specified under R4-10-112.
 5. If mobile services are provided in a location other than a retrofitted motor vehicle, the ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment licensee and manager shall ensure equipment is disinfected before use and stored as specified under R4-10-112.
- B.** If a retrofitted motor vehicle is used exclusively as a mobile facility dispatched from a ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ an establishment address, the establishment licensee and manager of the mobile facility shall:
1. Comply with all ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment requirements, including infection control and equipment requirements, specified in this Chapter;
 2. Maintain a complete and current list of appointment locations at the ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment address and ensure the list is displayed as specified in the application for a license to operate a ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ an establishment and available to an inspector at all times when the retrofitted motor vehicle is open for business; and
 3. Comply with Board statutes and rules.

~~R4-10-B402.~~ Renumbered

~~R4-10-B402, R4-10-408.~~ Shampoo Assistants

- A.** A ~~cosmetology or hairstyling~~ An establishment licensee may hire an individual who is not licensed by the Board as a shampoo assistant to shampoo and apply conditioner to an individual's hair, comb the hair to remove tangles, and remove rollers.
- B.** A ~~cosmetology or hairstyling~~ An establishment licensee shall ensure a shampoo assistant does not:
1. Apply hair color or permanent wave solution or neutralizer; or
 2. Remove rods, tint, relaxers, or chemical solutions from the hair.

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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.

NOTICE OF FINAL RULEMAKING

TITLE 3. AGRICULTURE

**CHAPTER 8. DEPARTMENT OF AGRICULTURE
PEST MANAGEMENT DIVISION**

[R26-10]

PREAMBLE

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

October 31, 2025

2. Article, Part, or Section Affected (as applicable)

R3-8-308

R3-8-309

Rulemaking Action

Amend

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. § 3-107(A)

Implementing statute: A.R.S. § 3-3603(A)

4. The effective date of the rule:

April 6, 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. 478, Issue Date: February 7, 2025, Issue Number: 6, File Number: R25-07

Notice of Proposed Rulemaking: 31 A.A.R. 2429, Issue Date: July 25, 2025, Issue Number: 30, File Number: R25-163

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

Name: Brian Kennedy

Title: Office of Pest Management, Compliance Supervisor

Physical Address: Arizona Department of Agriculture
1110 W. Washington St., Suite 450
Phoenix, AZ 85007

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Mailing Address: Arizona Department of Agriculture
1802 W. Jackson St., #78
Phoenix, AZ 85007

Telephone: (520) 730-02220

Email: bkennedy@azda.gov

Website: <https://agriculture.az.gov/>

Name: Brian McGrew

Title: Rules Writer, Acting

Physical Address: Arizona Department of Agriculture
1110 W. Washington St., Suite 450
Phoenix, AZ 85007

Mailing Address: Arizona Department of Agriculture
1802 W. Jackson St., #78
Phoenix, AZ 85007

Telephone: (602) 542-3228

Fax: (602) 542-1004

Email: bmcgrew@azda.gov

Website: <https://agriculture.az.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:

On January 14, 2025, the Department received approval from the Natural Resources Policy Advisor, in compliance with A.R.S. § 41-1039(A)(1) by expanding the economic opportunity for a licensed applicator; and (2) by reducing or ameliorating a regulatory burden on the public, while achieving the same regulatory objective. This rulemaking should be made to reduce a regulatory burden to allow a more environmentally friendly solution for the treatment of termite pests in new home construction. The purpose of this rulemaking is to update A.A.C. R3-8-308 and 309 as advised by the Pest Management Division Advisory Council (A.R.S. § 3-3605) to include an alternative solution to the use of a termiticide in new home construction by allowing a licensed pest control business to use an EPA approved termite baiting system in conjunction with standard pre-treatment options. By allowing the inclusion of the alternative method it could reduce the use of liquid pesticides by one-third.

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:

No study was conducted

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:

The rulemaking does not diminish any previous authority of a political subdivision of this state.

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

The Department's intent in proposing the amendments to A.A.C. R3-8-308 and A.A.C. R3-8-309 are to provide pest control businesses and consumers with an option to utilize a termite baiting system in lieu of a liquid termiticide for the final grade treatment to protect the exterior portion of a newly constructed structure from attack by termites and to clarify that when a termite bait is used as the final grade treatment that the pest management business that installed the bait inspect them at a frequency dictated by the pesticide label. The Department anticipates the rulemaking will have an overall benefit to consumers by providing an additional option to protect a newly built structure from termite infestation that is less disruptive and uses less water, while retaining the requirement that any reoccurrence of termites be retreated for 3-years from the date of pretreatment or new-construction treatment at no cost to the consumer. The rulemaking is not expected to result in additional costs for the regulated community. The Department has determined there is no less intrusive or costly alternative methods of achieving the purpose of the rulemaking. The Department will not incur any additional costs associated with the rulemaking nor require any additional full-time employees as a result of the rulemaking. Therefore, the Department has determined that the benefits of the rulemaking outweigh any costs.

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

No changes were made between the proposed rulemaking and the final rulemaking.

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

The Department received two written comments regarding the rulemaking. During the oral proceeding held on September 2, 2025 one additional comments was received. During the open comment period the Department received three comments. One comment from a pest management industry group was in support of the proposed rule, citing the importance of baits as an alternative to liquid treatment and the potential that the use of termite baits in lieu of a liquid final grade treatment would reduce the use of liquid termiticides on the exterior portion of treated structures. Two comments expressed neither support nor opposition for the proposed rule; however, one questioned the Department's assertion that the proposed rule would not result in additional costs to the regulated community, citing concerns that additional inspections required by the termite bait label would result in additional costs. Further, the commenter requested clarity as to whether businesses could recoup these costs from the consumer despite the rule

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requiring the inspections to be completed at no-cost to the consumer, how the Department would monitor and enforce inspection frequency, and how the Department would address any additional burden resulting from tracking bait station treatments versus liquid treatments. With respect to the potential of increased costs associated with the label required inspection frequency, there could be some additional costs associated with label required inspections for pest management businesses that choose to use termite baits as a final grade; however, because the use of baits is an option, with liquid treatment remaining available, no company is compelled to use termite baits. As to a business recovering costs associated with label required inspections during the 3-year “no cost” warranty period, this warranty period protects consumers and serves as an incentive to the termite control business to utilize the option it believes to be most protective of a structure with respect to termite occurrence. Currently, a company may choose whichever registered termiticide it believes to be most effective for the final grade treatment. Under the proposed rule, that choice expands to include termite baits. As to the Department monitoring and enforcing the inspection frequency, Department inspectors currently conduct routine inspections whereby records are reviewed, whether treatment or inspection, and therefore, does not anticipate any additional burden. Similarly, Department inspectors currently conduct inspection of liquid treatments, and the Department does not add any additional burden to inspect termite bait applications.

The final comment expressed neither support nor opposition for the proposed rule, but requested clarity on the ownership of the bait stations at the conclusion of the 3-year “warranty period.” However, such determination is a contractual one between the pest management business and the consumer and not within the scope of the Department’s authority nor within the scope of the proposed rule.

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:

A.R.S. § 3-3605(B) requires the Arizona Department of Agriculture Pest Management Division Council to assist the Director of the Department in formulating administrative rules for the division, including reviewing, advising and making recommendations to the director on proposed rules before the rules are adopted. During the December 11, 2024 Pest Management Division Council Meeting, council members approved of the Department’s recommendations to amend rules R3-8-308 and R3-8-309.

A.R.S. § 3-104(F) requires the Arizona Department of Agriculture Advisory Council assist the Director of the Department on all rulemaking activities. The council shall review, advise and make recommendations before they are adopted. During the June 24, 2025, Advisory Council Meeting, council members approved the Department’s recommendations to amend rules R3-8-308 and R3-8-309.

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:

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:

The Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. §§ 136-136y (1996) is the federal law applicable to the subject of the rule. The proposed rule is not more stringent than federal law because under federal law (i.e., the pesticide label) termite baits may be used in the manner proposed in the rule. A copy of the federal law is available to view at <https://www.govinfo.gov/content/pkg/USCODE-2023-title7/html/USCODE-2023-title7-chap6.htm>.

c. Whether a person submitted an analysis to the agency that compares the rule’s impact on the competitiveness of business in this state to the impact on business in other states:

No analysis was conducted

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 3. AGRICULTURE

**CHAPTER 8. DEPARTMENT OF AGRICULTURE
PEST MANAGEMENT DIVISION**

ARTICLE 3. PEST MANAGEMENT

Section

R3-8-308. Performing Wood-destroying Insect Management
R3-8-309. Termite Warranties and Retreatments

ARTICLE 3. PEST MANAGEMENT

R3-8-308. Performing Wood-destroying Insect Management

- A. No change
- B. No change

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1. No change
2. No change
3. No change
- C. No change
- D. Pretreatment for commercial or residential construction.
 1. No change
 - a. No change
 - b. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change
 - vi. No change
 - vii. No change
 2. No change
 3. No change
 - a. No change
 - b. No change
 - c. No change
 4. No change
 - a. No change
 - b. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change
 5. No change
 6. Immediately after completing a pretreatment, an applicator shall securely affix a tag to the pretreatment site. The applicator shall ensure that the tag is visible, readily available for inspection, and unlikely to be covered with concrete or soil. If there is a contractor's permit or inspection board at the pretreatment site, the applicator may affix the tag to the board. The applicator shall ensure that the tag contains the following information about the pretreatment:
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 - h. No change
 - i. No change
 - j. No change
 - k. Number of gallons of chemical preparation applied or number of termite bait stations installed;
 - l. No change
 - m. No change
 - n. No change
 - o. No change
 - p. No change
 7. No change
 8. No change
- E. No change
 1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 2. No change
 3. No change
 4. No change
 5. No change
- F. Final grade treatment for commercial or residential construction.

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1. A business licensee that performs a pretreatment or new-construction treatment shall perform a final grade treatment. The final grade treatment must occur after all grading and other construction-related soil disturbance is complete, but within 18 months of the original pretreatment or new construction treatment. The business licensee shall keep a written or electronic record as to why the final grade has not been completed and an estimated time for completion. This record shall be available upon written requests for inspection by the Agency. For a final grade treatment, a termite baiting system may be used instead of a termiticide. The installation of a termite baiting system shall be functionally equivalent to a complete vertical barrier when installed at the exterior of foundation walls in stem wall or monolithic construction according to label instructions. All termite baiting system applications shall be monitored following label instructions for a minimum period of three years (from the initial date of the pretreatment) at no additional cost to the property owner when installed as a final grade.
2. No change
3. No change
- G. No change
- H. No change
- I. No change
 1. No change
 2. No change
 3. No change
 4. No change

R3-8-309. Termite Warranties and Retreatments

- A. No change
- B. No change
- C. No change
- D. If subterranean termites occur a third time on the exterior of a one or two unit residential structure within three years after a business licensee first performs a pretreatment or new-construction treatment, the business licensee shall re-treat the entire exterior perimeter of the structure free of charge. If a termite bait station installation was originally installed for the final grade, a liquid termiticide shall be used for the complete retreatment, unless rejected in writing by the consumer.
 1. No change
 2. No change
 - a. No change
 - b. No change
 - c. No change
- E. No change
- F. No change
- G. No change
- H. No change
- I. No change
 1. No change
 2. No change
 3. No change
 4. No change

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An agency may conduct expedited rulemaking if the rulemaking does not increase the cost of regulatory compliance, increase a fee or reduce procedural rights of persons regulated. Other requirements to conduct expedited rulemaking are listed under A.R.S. § 41-1027(A)(1) through (8).

A Notice of Proposed Expedited Rulemaking is filed by the agency and published in the *Register* and is also posted on an agency's website

and the Governor's Regulatory Review Council's website to allow for written comments at least 30 days after posting the notice.

An agency shall also respond to written objections to these proposed expedited rules which are filed and published in the *Register*.

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

Refer to item #10 for information on how to comment on this notice and the close of record to comment.

NOTICE OF PROPOSED EXPEDITED RULEMAKING

TITLE 18. ENVIRONMENTAL QUALITY

**CHAPTER 4. DEPARTMENT OF ENVIRONMENTAL QUALITY
SAFE DRINKING WATER**

[R26-11]

PREAMBLE

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

October 10, 2024

2. Article, Part, or Section Affected (as applicable)

Rulemaking Action

R18-4-102

Amend

R18-4-107

Amend

R18-4-111

Amend

R18-4-117

Amend

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

Authorizing statutes: A.R.S. §§ 49-104, 49-202(A), 49-351, 49-353, and 49-353.01

Implementing statute: A.R.S. §§ 49-353, and 49-353.01

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

Not applicable

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

Name: Heidi M. Haggerty Welborn, Esq.

Title: Drinking Water Legal Specialist

Division: Water Quality Division

Address: 1110 W. Washington St.
Phoenix, AZ 85007

Telephone: (602) 771-4373

Email: welborn.heidi@azdeq.gov

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Website: <https://azdeq.gov/rulemaking/DW-Regulations>

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

ADEQ seeks to modify regulations in Title 18, Chapter 4, Article 1 to incorporate by reference several new and modified Safe Drinking Water Act (SDWA) regulations in 40 C.F.R. Part 141 and to implement changes to ensure ADEQ complies with SDWA primacy requirements in 40 C.F.R. Part 142.

An expedited rulemaking is appropriate pursuant to A.R.S. § 41-1027(A)(4) because this rulemaking only incorporates by reference without material change federal regulations pursuant to A.R.S. § 41-1028 and does not increase regulatory burden beyond what is required by the SDWA.

First, the rulemaking will amend R18-4-102(A), which governs the incorporation by reference applicability date of all other rules in Article 1. Currently, Chapter 4, Articles 1 and 2 incorporate by reference the 2014 version of the federal regulations. The rule will be updated to incorporate the July 1, 2025 published version of the federal regulations. Official updated published versions of Code of Federal Regulations Title 40 are published as of July 1, 2025 at <http://www.gpo.gov/fdsys/browse/collection-Cfr.action?collectionCode=CFR>.

These rule modifications will ensure that Arizona maintains appropriate authority to implement and enforce the SDWA as the primacy agency. This rulemaking helps to eliminate regulatory lag. Regulatory lag in this context means a gap or mismatch between state requirements and what is an already applicable and enforceable federal law change. This creates confusion in communication, data processes, and general state implementation of the federal rule. This risks ADEQ's ability to act to address public health concerns, and also risks the state losing primacy or federal funding granted under the SDWA, and burdening and confusing the regulated community by referencing outdated rules. Note that all of the rules listed below are already effective federal law, and public water systems are required to comply with these federal rules according to their respective compliance date schedules. Therefore, this rulemaking does not impose any increased burden beyond which the regulated community is already subject.

Incorporating the July 2025 version of the federal rules will include the following major updates:

- Consumer Confidence Report (CCR) Final Rule Revisions
The CCR rule revisions modify the timing and frequency of reporting for existing community water systems if a community water system serves 10,000 people or more. It also modifies required content in CCRs and means for delivery. See *CCR final rule*, 89 Fed. Reg. 45980 (May 24, 2024). See also ADEQ's website at <https://azdeq.gov/ccrrule>.
- Alternative Test Methods - Updates and Corrections
Via various rulemakings over the years, EPA has promulgated new alternative analytical methods for determining contaminant concentrations in drinking water samples collected under the SDWA. Several rulemakings for alternative methods follow: 81 Fed. Reg. 46840 (Jul. 19, 2016); 82 Fed. Reg. 34861 (July 27, 2017); 83 Fed. Reg. 51636 (Oct. 12, 2018); 83 Fed. Reg. 54676 (Oct. 31, 2018); 86 Fed. Reg. 28277 (May 26, 2021); 86 Fed. Reg. 29526 (June 2, 2021); 87 Fed. Reg. 50579 (Aug. 17, 2022); 89 Fed. Reg. 5773 (Jan. 30, 2024); 89 Fed. Reg. 7624 (Feb. 5, 2024).
- Lead and Copper – Rule Improvements (LCRI) (2024)
EPA has finalized various modifications to lead and copper rules, including requiring replacement of lead service lines, reducing the lead action level, strengthening tap sampling procedures, corrosion control treatment, public education, small system requirements, and sampling in schools and child care facilities.

Please note, the LCRI rules became legally effective law on December 30, 2024. However, various rules within LCRI have different compliance dates and implementation dates. The applicable LCRI rules to comply with until November 1, 2027, are found in 40 C.F.R. 141.80(a)(4)(i) (Oct. 2024), and after that date, different rules are applicable. The regulation, 40 C.F.R. 141.80, lists the compliance and implementation date schedules for various rules established in the LCRI rulemaking. See *LCRI final rule*, 89 FR 86626 (Oct. 30, 2024) (“Compliance dates”); and see *ADEQ's Delegated Agency “Matrix” for Drinking Water Lead and Copper Licensing Reviews* p. 2-3 (September 2025), available at <https://static.azdeq.gov/dw/lcrr/ccematrix.pdf>. See also ADEQ's website at <https://azdeq.gov/LeadCopperRule>.

Please note that while EPA also issued a major rulemaking to regulate per- and polyfluoroalkyl substances (PFAS), **ADEQ is not adopting the PFAS rules at this time**. The PFAS rulemaking establishes primary drinking water standards for PFAS, including monitoring requirements, best available control technology, and violation thresholds. See the PFAS Final Rule, 89 Fed. Reg. 32532 (Apr. 26, 2024); see also the PFAS Rule Corrections, 89 Fed. Reg. 49101 (June 11, 2024). However, EPA has already expressed intent to significantly modify compliance thresholds and other requirements in Subpart Z PFAS regulations. Therefore, ADEQ intends to incorporate the new PFAS rules when modifications are finalized and published in the U.S. Code of Federal Regulations. See EPA's announcement to rollback parts of the PFAS rule at:

<https://www.epa.gov/newsreleases/epa-announces-it-will-keep-maximum-contaminant-levels-pfoa-pfos>.

Second, ADEQ is updating R18-4-107, R18-4-111, and R18-4-117 with minor changes to conform those sections with the incorporation by reference changes in R18-4-102 described above.

NOTICES OF PROPOSED EXPEDITED RULEMAKING

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. A statement that the agency is exempt from the requirements under A.R.S. § 41-1055(G) to obtain and file a preliminary summary of the economic, small business, and consumer impact under A.R.S. § 41-1055(D)(2):

This rulemaking is exempt from the requirements to obtain and file an economic, small business, and consumer impact under A.R.S. § 41-1055(D)(2).

10. Where, when, and how a person may provide written comments on the proposed expedited rule:

A person may submit written comments no later than the close of record to the person listed under Item #5.
Close of Record: March 2, 2026

11. 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:

This rule revision 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:

Federal law applies to this subject matter. These rule modifications comply with the Safe Drinking Water Act primacy requirements and do not exceed federal requirements.

c. Whether a person submitted an analysis to the agency regarding the rule's impact on the competitiveness of businesses in this state as compared to the competitiveness of businesses in other states under A.R.S. § 41-1055(I). If yes, include the analysis with the rulemaking package.

Not applicable

12. List all incorporated by reference material as specified in A.R.S. § 41-1028 and include a citation where the material is located:

40 C.F.R. 141 and 142 (as of July 1, 2025)	R18-4-102(A)
40 C.F.R. 141, Subpart E (as of July 1, 2025)	R18-4-107
40 C.F.R. 141, Subpart I (as of July 1, 2025)	R18-4-111
40 C.F.R. 141, Subpart O (as of July 1, 2025)	R18-4-117

13. The full text of the rules follows:

TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 4. DEPARTMENT OF ENVIRONMENTAL QUALITY
SAFE DRINKING WATER

ARTICLE 1. PRIMARY DRINKING WATER REGULATIONS

Section

- R18-4-102. Incorporation by Reference of 40 CFR 141 and 142
- R18-4-107. Special Regulations, Including Monitoring - 40 CFR 141, Subpart E
- R18-4-111. Control of Lead and Copper – 40 CFR 141, Subpart I
- R18-4-117. Consumer Confidence Reports – 40 CFR 141, Subpart O

ARTICLE 1. PRIMARY DRINKING WATER REGULATIONS

R18-4-102. Incorporation by Reference of 40 CFR 141 and 142

A. Unless otherwise specified in this Chapter, all references to regulations in 40 CFR 141 and 142 in this Chapter refer to the July 1, 2014 ~~2025~~, version of the regulations. Copies of the incorporated material are available for review at the Arizona Department of

NOTICES OF PROPOSED EXPEDITED RULEMAKING

Environmental Quality, 1110 W. Washington St., Phoenix, AZ, 85007, and are available from the U.S. General Printing office at <http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR>.

- B. A reference to a federal statute or regulation in a federal statute or regulation incorporated by reference in this Chapter shall refer to and incorporate by reference the referenced statute or regulation as of the date specified in subsection (A), unless the referenced statute or regulation is incorporated by reference elsewhere in this Chapter in a modified form, in which case the reference shall be to the statute or regulation as incorporated in this Chapter.
- C. Documents incorporated by reference in a federal statute or regulation incorporated by reference in this Chapter are also incorporated by reference in this Chapter, as of the date specified in the federal statute or regulation.
- D. A federal rule incorporated by reference in this Chapter shall include all “Effective Date Notes” associated with the federal rule.
- E. The term “State” or “primacy agency” in the text of a federal statute or regulation incorporated by reference in this Chapter shall mean the Arizona Department of Environmental Quality unless otherwise noted.

R18-4-107. Special Regulations, Including Monitoring - 40 CFR 141, Subpart E

40 CFR 141, Subpart E (40 CFR 141.40 through 141.42) revised as of July 1, 2021 and published by the Office of the Federal Register, National Archives and Records Administration is incorporated by reference. This rule does not include any later amendments or editions of the incorporated material. Copies of the incorporated material are available for inspection at the Arizona Department of Environmental Quality, 1110 W. Washington, Phoenix, AZ 85007 or may be obtained from the U.S. Government Publishing Office, bookstore.gpo.gov, P.O. Box 979050, St. Louis, MO 63197-9000 is incorporated by reference as of the date specified in R18-4-102; this incorporation does not include any later amendments or editions.

R18-4-111. Control of Lead and Copper – 40 CFR 141, Subpart I

- A. 40 CFR 141, Subpart I (40 CFR 141.80 through ~~141.91~~ 141.93), is incorporated by reference as of the date specified in R18-4-102, subject to the modifications specified in this Section; this incorporation does not include any later amendments or editions.
- B. The first sentence of 40 CFR 141.89(a) is replaced by the following: “Analyses for lead, copper, pH, conductivity, calcium, alkalinity, orthophosphate, silica, and temperature shall be conducted using analytical methods approved by EPA and the Arizona Department of Health Services. Analyses under this Section for lead and copper shall be conducted by laboratories that have been certified by EPA or the Arizona Department of Health Services.”
- C. The text of 40 CFR 141.89(a)(1) is not incorporated by reference.

R18-4-117. Consumer Confidence Reports – 40 CFR 141, Subpart O

40 CFR 141, Subpart O (40 CFR 141.151 through ~~141.155~~ 141.156 and Appendix A), is incorporated by reference as of the date specified in R18-4-102; this incorporation does not include any later amendments or editions.

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NOTICES OF RULEMAKING DOCKET OPENING

The 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.

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

NOTICE OF RULEMAKING DOCKET OPENING

BARBERING AND COSMETOLOGY BOARD

[R26-12]

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

April 2, 2025

2. Title and its heading:

4, Professions and Occupations

Chapter and its heading:

10, Barbering and Cosmetology Board

Article and its heading:

- 1, General Provisions
- 2, Personal Licensure or Registrations
- 3, Schools; Eyelash Technology Training Program
- 4, Establishments

Part and its heading (if applicable):

- Part A. Barbering
- Part B. Cosmetology
- Part A. Barbering
- Part B. Cosmetology
- Part A. Barbering
- Part B. Cosmetology
- Part A. Barbering
- Part B. Cosmetology

Section number:

- R4-10-101, R4-10-102, R4-10-103, R4-10-106, R4-10-111, R4-10-112, R4-10-113, R4-10-114, Part A, R4-10-A101, Table A1, Part B, Table B1
- R4-10-201, R4-10-202, R4-10-203, R4-10-204, R4-10-205, R4-10-206, R4-10-207, Part A, R4-10-A201, R4-10-A202, Part B, R4-10-B201, R4-10-B202
- R4-10-301, R4-10-302, R4-10-303, R4-10-304, R4-10-304.1, R4-10-305, R4-10-306, R4-10-A301, R4-10-A302, R4-10-A303,

NOTICES OF RULEMAKING DOCKET OPENING

R4-10-B305, R4-10-B306, R4-10-B307

R4-10-401, R4-10-402, R4-10-403, R4-10-404, R4-10-405, Part A, R4-10-A401, R4-10-406, Part B, R4-10-B401, R4-10-407, R4-10-B402, R4-10-408

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

3. The subject matter of the proposed rule:

Since the Board’s rules were made in 2024, two important changes have occurred. The first is that the legislature repealed statutes relating to the former Board of Barbers and created one set of statutes for the Barbering and Cosmetology Board. The second is that a sufficient number of states have joined the cosmetology licensure compact to make the compact provisions effective (See A.R.S. § 32-596) so a cosmetologist with an active, unencumbered license is eligible to apply for a multistate license. These two changes necessitate the current rulemaking.

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

Notice of Proposed Rulemaking: 32 A.A.R. 417, February 20, 2026 (*in this issue*); File Number: R26-09

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

Name: Frank Migali
Title: Executive Director
Address: 1740 W. Adams St., Suite 4400
Phoenix, AZ 85007
Telephone: (480) 784-4539
Email: azboard@bcb.az.gov
Website: bcb.az.gov

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

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 by email at the email address provided under item #5. Information regarding an oral proceeding is included in the Notice of Proposed Rulemaking in this issue.

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

Unknown

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NOTICES OF PROPOSED DELEGATION AGREEMENT

Summaries and Location of Documents

Some agencies have been given legislative authority to delegate functions, powers, or duties to political subdivisions in Arizona.

An agency that seeks to delegate functions, powers or duties shall file with the Office a summary of its proposed delegation agreement under [A.R.S. § 41-1081\(B\)](#).

Agencies shall provide a contact person to answer questions or accept comments on the notice. This information is listed under item #3 of the notice.

The notice shall also state where interested persons may obtain, upon request, a copy of the proposed delegation agreement from the agency.

NOTICE OF PROPOSED DELEGATION AGREEMENT

DEPARTMENT OF HEALTH SERVICES

[M26-09]

1. Name of agency proposing the delegation agreement:

Arizona Department of Health Services

2. The name of the political subdivision to which functions, powers, or duties of the agency are proposed to be delegated:

Maricopa County

3. The name and address of agency personnel to whom persons may direct questions or comments:

Name: Jennifer Botsford, Bureau Chief

Address: Arizona Department of Health Services
Bureau of Resiliency and the Environment
Office of Environmental Health
150 N. 18th Ave., Suite 320
Phoenix, AZ 85007

Telephone: (602) 364-3118

Email: Jennifer.Botsford@azdhs.gov

or

Name: Stacie Gravito, Chief Administrative Counsel

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

4. A summary of the delegation agreement and the subjects and issues involved:

Arizona Revised Statutes (“A.R.S.”) § 36-136(D) authorizes the Director of the Arizona Department of Health Services to delegate to a “local health department, county environmental department or public health services district any functions, powers or duties that the director believes can competently, efficiently and properly performed by the local health department, county environmental department or public health services district.” The Arizona Department of Health Services (“Department”) is entering into a delegation agreement (“DA”) with Maricopa County (“County”) due to the expiration of the current delegation agreement with the County. The delegation agreement shows the County’s responsibilities and duties regarding Food Safety and General Sanitation Control, Pure Food Control, and Smoke-Free Arizona Act.

Beginning February 22, 2026, the 30-day public review and written and oral comment period begins. At the completion of the public review period, the oral proceeding will be held as set forth below (item #6). Following the oral proceeding, the Department will formulate a response to submitted comments and consider modifications to the DA in response to those comments. If no comments are received, the DA becomes final on March 24, 2026.

If comments are received and changes are made, notice of the revised DA will be re-published in the *Arizona Administrative Register*, along with a summary of comments received and the Department’s response to those comments. The final DA shall remain in

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NOTICES OF PROPOSED DELEGATION AGREEMENT

effect until it expires June 30, 2032. *Also see* A.R.S. §§ 36-601.01(G), 41-1001(7) and 41-1081.

5. Copies of the proposed delegation agreement may be obtained from the agency as follows:

Copies of the proposed DA may be requested, in writing, from the Arizona Department of Health Services, Office of Environmental Health, 150 N. 18th Ave., Suite 320, Phoenix, AZ 85007, or by telephone at (602) 364-3118.

6. The schedule of public hearing on the proposed delegation agreement:

A person may submit written comments on the proposed DA to an individual listed in item #3 until the close of record on March 24, 2026 at 4:00 p.m. The Arizona Department of Health Services will hold a public hearing for the proposed DA on March 24, 2026 at 10:00 a.m. in Conference Room 415B at the Arizona Department of Health Services, 150 N. 18th Ave., Phoenix, AZ 85007.

NOTICE OF PROPOSED DELEGATION AGREEMENT

DEPARTMENT OF HEALTH SERVICES

[M26-10]

1. Name of agency proposing the delegation agreement:

Arizona Department of Health Services

2. The name of the political subdivision to which functions, powers, or duties of the agency are proposed to be delegated:

Yuma County

3. The name and address of agency personnel to whom persons may direct questions or comments:

Name: Jennifer Botsford, Bureau Chief

Address: Arizona Department of Health Services
Bureau of Resiliency and the Environment
Office of Environmental Health
150 N. 18th Ave., Suite 320
Phoenix, AZ 85007

Telephone: (602) 364-3118

Email: Jennifer.Botsford@azdhs.gov

or

Name: Stacie Gravito, Chief Administrative Counsel

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

4. A summary of the delegation agreement and the subjects and issues involved:

Arizona Revised Statutes (“A.R.S.”) § 36-136(D) authorizes the Director of the Arizona Department of Health Services to delegate to a “local health department, county environmental department or public health services district any functions, powers or duties that the director believes can competently, efficiently and properly performed by the local health department, county environmental department or public health services district.” The Arizona Department of Health Services is entering into a delegation agreement with Yuma County (“County”) due to the expiration of the current delegation agreement with the County. The delegation agreement shows the County’s responsibilities and duties regarding Food Safety and General Sanitation Control, Pure Food Control, and Smoke-Free Arizona Act.

Beginning February 22, 2026, the 30-day public review and written and oral comment period begins. At the completion of the public review period, the oral proceeding will be held as set forth below (item #6). Following the oral proceeding, the Department will formulate a response to submitted comments and consider modifications to the DA in response to those comments. If no comments are received, the DA becomes final on March 24, 2026.

If comments are received and changes are made, notice of the revised DA will be re-published in the *Arizona Administrative Register*, along with a summary of comments received and the Department’s response to those comments. The final DA shall remain in effect until it expires June 30, 2032. *Also see* A.R.S. §§ 36-601.01(G), 41-1001(7) and 41-1081.

5. Copies of the proposed delegation agreement may be obtained from the agency as follows:

Copies of the proposed DA may be requested, in writing, from the Arizona Department of Health Services, Office of Environmental Health, 150 N. 18th Ave., Suite 320, Phoenix, AZ 85007, or by telephone at (602) 364-3118.

6. The schedule of public hearing on the proposed delegation agreement:

A person may submit written comments on the proposed DA to an individual listed in item #3 until the close of record on March 24, 2026 at 4:00 p.m. The Arizona Department of Health Services will hold a public hearing for the proposed delegation agreement on March 24, 2026 at noon in Conference Room 345A at the Arizona Department of Health Services, 150 N. 18th Ave., Phoenix, AZ 85007.

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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

A.R.S. § 41-1013(B)(14)

**DEPARTMENT OF AGRICULTURE
ANIMAL SERVICES DIVISION**

[M26-11]

1. Agency Name:

Arizona Department of Agriculture, Animal Services Division (Department)

2. Agency Contact information:

Name: Ryan Wolker
Title: State Veterinarian
Division: Arizona Department of Agriculture, Animal Services Division
Address: 1802 W. Jackson St, #78
Phoenix, AZ 85007
Telephone: (602) 542-4293
Fax: (602) 542-4290
Email: rwolker@azda.gov
Website: <https://agriculture.az.gov/animals>

Name: Roland Mader
Title: Administrator Dairy Egg Programs
Division: Arizona Department of Agriculture, Animal Services Division
Address: 1802 W. Jackson St., #78
Phoenix, AZ 85007
Telephone: (602) 542-0884
Fax Number: (602) 542-4194
Email: rmader@azda.gov

3. Public information related to this notice:

The Department is notifying the public that it has rescinded Substantive Policy Statement SP 24-05, “Enforcement of poultry husbandry and production of eggs sold in this state,” which was effective on November 23, 2024. The Department has completed the rulemaking process for A.A.C. R3-2-907 (Poultry Husbandry; Standards for Production of Eggs and Biosecurity Requirements) that incorporated the changes prescribed in SP 24-05. The changes to the rule were effective on February 2, 2026.

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2026 REGISTER INDEXES

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

Abbreviations for rulemaking activity in this Index include:

PROPOSED RULEMAKING

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

SUPPLEMENTAL PROPOSED RULEMAKING

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

FINAL RULEMAKING

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

SUMMARY RULEMAKING

PROPOSED SUMMARY

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

FINAL SUMMARY

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

EXPEDITED RULEMAKING

PROPOSED EXPEDITED

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

SUPPLEMENTAL EXPEDITED

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

FINAL EXPEDITED

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

EXEMPT RULEMAKING

EXEMPT

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

EXEMPT PROPOSED

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

EXEMPT SUPPLEMENTAL PROPOSED

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

FINAL EXEMPT RULEMAKING

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

EMERGENCY RULEMAKING

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

RECODIFICATION OF RULES

RC = Recodified

REJECTION OF RULES

RJ = Rejected by the Attorney General

TERMINATION OF RULES

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

RULE EXPIRATIONS

EXP = Rules have expired

See also “*emergency expired*” under emergency rulemaking

CORRECTIONS

C = Corrections to Published Rules

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RULEMAKING ACTIVITY INDEX

Rulemakings are listed in the Index by Chapter, Section number, rulemaking activity abbreviation and volume page number. Use the page guide to determine the *Register* issue number and publish date to review the rule. Subchapter, Article, Part, and Section headings are not indexed.

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R4-1-453.	PEM-249	R18-2-306.02.	FN-55	R4-12-305.	RC-177
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Arizona Administrative Register

RULES EFFECTIVE DATES CALENDAR

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RULES EFFECTIVE DATES CALENDAR

A.R.S. § 41-1032(A), as amended by Laws 2002, Ch. 334, § 8 (effective August 22, 2002), states 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		February		March		April		May		June	
Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date
1/1	3/2	2/1	4/2	3/1	4/30	4/1	5/31	5/1	6/30	6/1	7/31
1/2	3/3	2/2	4/3	3/2	5/1	4/2	6/1	5/2	7/1	6/2	8/1
1/3	3/4	2/3	4/4	3/3	5/2	4/3	6/2	5/3	7/2	6/3	8/2
1/4	3/5	2/4	4/5	3/4	5/3	4/4	6/3	5/4	7/3	6/4	8/3
1/5	3/6	2/5	4/6	3/5	5/4	4/5	6/4	5/5	7/4	6/5	8/4
1/6	3/7	2/6	4/7	3/6	5/5	4/6	6/5	5/6	7/5	6/6	8/5
1/7	3/8	2/7	4/8	3/7	5/6	4/7	6/6	5/7	7/6	6/7	8/6
1/8	3/9	2/8	4/9	3/8	5/7	4/8	6/7	5/8	7/7	6/8	8/7
1/9	3/10	2/9	4/10	3/9	5/8	4/9	6/8	5/9	7/8	6/9	8/8
1/10	3/11	2/10	4/11	3/10	5/9	4/10	6/9	5/10	7/9	6/10	8/9
1/11	3/12	2/11	4/12	3/11	5/10	4/11	6/10	5/11	7/10	6/11	8/10
1/12	3/13	2/12	4/13	3/12	5/11	4/12	6/11	5/12	7/11	6/12	8/11
1/13	3/14	2/13	4/14	3/13	5/12	4/13	6/12	5/13	7/12	6/13	8/12
1/14	3/15	2/14	4/15	3/14	5/13	4/14	6/13	5/14	7/13	6/14	8/13
1/15	3/16	2/15	4/16	3/15	5/14	4/15	6/14	5/15	7/14	6/15	8/14
1/16	3/17	2/16	4/17	3/16	5/15	4/16	6/15	5/16	7/15	6/16	8/15
1/17	3/18	2/17	4/18	3/17	5/16	4/17	6/16	5/17	7/16	6/17	8/16
1/18	3/19	2/18	4/19	3/18	5/17	4/18	6/17	5/18	7/17	6/18	8/17
1/19	3/20	2/19	4/20	3/19	5/18	4/19	6/18	5/19	7/18	6/19	8/18
1/20	3/21	2/20	4/21	3/20	5/19	4/20	6/19	5/20	7/19	6/20	8/19
1/21	3/22	2/21	4/22	3/21	5/20	4/21	6/20	5/21	7/20	6/21	8/20
1/22	3/23	2/22	4/23	3/22	5/21	4/22	6/21	5/22	7/21	6/22	8/21
1/23	3/24	2/23	4/24	3/23	5/22	4/23	6/22	5/23	7/22	6/23	8/22
1/24	3/25	2/24	4/25	3/24	5/23	4/24	6/23	5/24	7/23	6/24	8/23
1/25	3/26	2/25	4/26	3/25	5/24	4/25	6/24	5/25	7/24	6/25	8/24
1/26	3/27	2/26	4/27	3/26	5/25	4/26	6/25	5/26	7/25	6/26	8/25
1/27	3/28	2/27	4/28	3/27	5/26	4/27	6/26	5/27	7/26	6/27	8/26
1/28	3/29	2/28	4/29	3/28	5/27	4/28	6/27	5/28	7/27	6/28	8/27
1/29	3/30			3/29	5/28	4/29	6/28	5/29	7/28	6/29	8/28
1/30	3/31			3/30	5/29	4/30	6/29	5/30	7/29	6/30	8/29
1/31	4/1			3/31	5/30			5/31	7/30		

Arizona Administrative Register
RULES EFFECTIVE DATES CALENDAR

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

Arizona Administrative Register
REGISTER PUBLISHING DEADLINES

REGISTER PUBLISHING 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 (*first column*) and issue dates (*second column*) are provided. Governor Regulatory Review Council meetings and *Register* deadlines do not correlate. Also listed are the earliest dates on which an oral proceeding can be held on proposed rulemakings or proposed delegation agreements, following publication of the notice in the *Register*.

Deadline Date Friday, 5:00 p.m. <i>(*earlier date due to holiday)</i>	<i>Register</i> Publication Date	Oral Proceeding may be scheduled on or after <i>(*later date due to holiday)</i>
December 12, 2026	January 2, 2026	February 2, 2026
December 19, 2025	January 9, 2026	February 9, 2026
December 26, 2025	January 16, 2026	*February 17, 2026
January 2, 2026	January 23, 2026	February 23, 2026
January 9, 2026	January 30, 2026	March 2, 2026
January 16, 2026	February 6, 2026	March 9, 2026
January 23, 2026	February 13, 2026	March 16, 2026
January 30, 2026	February 20, 2026	March 23, 2026
February 6, 2026	February 27, 2026	March 30, 2026
February 13, 2026	March 6, 2026	April 6, 2026
February 20, 2026	March 13, 2026	April 13, 2026
February 27, 2026	March 20, 2026	April 20, 2026
March 6, 2026	March 27, 2026	April 27, 2026
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
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

GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES

Volume 32

Issue 8

February 20, 2026

GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES

MEETING DATES ARE SUBJECT TO CHANGE

These deadlines 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 <https://grrc.az.gov>.

[M25-79]

DEADLINE FOR PLACEMENT ON AGENDA*	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
<i>Tuesday</i> January 20, 2026	<i>Tuesday</i> February 17, 2026	<i>Tuesday</i> February 24, 2026	<i>Tuesday</i> March 3, 2026
<i>Tuesday</i> February 17, 2026	<i>Tuesday</i> March 24, 2026	<i>Tuesday</i> March 31, 2026	<i>Tuesday</i> April 7, 2026
<i>Tuesday</i> March 24, 2026	<i>Tuesday</i> April 21, 2026	<i>Tuesday</i> April 28, 2026	<i>Tuesday</i> May 5, 2026
<i>Tuesday</i> April 21, 2026	<i>Tuesday</i> May 19, 2026	Wednesday May 27, 2026	<i>Tuesday</i> June 2, 2026
<i>Tuesday</i> May 19, 2026	<i>Tuesday</i> June 23, 2026	<i>Tuesday</i> June 30, 2026	<i>Tuesday</i> July 7, 2026
<i>Tuesday</i> June 23, 2026	<i>Tuesday</i> July 21, 2026	<i>Tuesday</i> July 28, 2026	<i>Tuesday</i> August 4, 2026
<i>Tuesday</i> July 21, 2026	<i>Tuesday</i> August 18, 2026	<i>Tuesday</i> August 25, 2026	<i>Tuesday</i> September 1, 2026
<i>Tuesday</i> August 18, 2026	<i>Tuesday</i> September 22, 2026	<i>Tuesday</i> September 29, 2026	<i>Tuesday</i> October 6, 2026
<i>Tuesday</i> September 22, 2026	<i>Tuesday</i> October 20, 2026	<i>Tuesday</i> October 27, 2026	<i>Tuesday</i> November 3, 2026
<i>Tuesday</i> October 20, 2026	<i>Tuesday</i> November 17, 2026	<i>Tuesday</i> November 24, 2026	<i>Tuesday</i> December 1, 2026
<i>Tuesday</i> November 17, 2026	<i>Tuesday</i> December 22, 2026	<i>Tuesday</i> December 29, 2026	<i>Tuesday</i> January 5, 2027
<i>Tuesday</i> December 22, 2026	<i>Tuesday</i> January 19, 2027	<i>Tuesday</i> January 26, 2027	<i>Tuesday</i> February 2, 2027

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