

2026 BLENDS



Arizona Legislative Council



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August 10, 2026

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Pursuant to authority of section 41-1304.03, Arizona Revised Statutes, the attached sections are presented as blends of multiple amendment activity that occurred in the Fifty-seventh Legislature, Second Regular Session.

For each blend, the publisher will be instructed to indicate in the source note each of the Laws 2026 chapter versions and to include a reviser's note to explain the blend.

Unless otherwise noted, the effective date of each of the following blends is September 12, 2026.

The following blend sections are included:

- | | |
|-------------|---|
| 1. 4-101 | Chs. 70 and 124 (<i>Effective 1/1/27</i>) |
| 2. 4-120 | Chs. 124 and 127 |
| 3. 4-205.02 | Chs. 70 and 124 (<i>Effective 1/1/27</i>) |
| 4. 4-244 | Chs. 70 and 124 (<i>Effective 1/1/27</i>) |
| 5. 8-514.03 | Chs. 76 and 190 |
| 6. 8-514.07 | Chs. 76 and 181 |
| 7. 8-529 | Chs. 76 and 181 |
| 8. 9-463.05 | Chs. 121 and 123 |
| 9. 11-441 | Chs. 53 and 211 |
| 10. 13-901 | Chs. 27 and 186 |
| 11. 13-911 | Chs. 86 and 108 |
| 12. 13-923 | Chs. 27 and 36 |
| 13. 13-924 | Chs. 27 and 186 |
| 14. 13-3729 | Chs. 116, 215 and 236 |
| 15. 15-1626 | Chs. 133 and 170 |
| 16. 16-934 | Chs. 7 and 260 |
| 17. 16-937 | Chs. 7 and 260 |
| 18. 23-1046 | Chs. 145 and 146 |
| 19. 28-2351 | Chs. 13 and 232 |

20.	28-2403	Chs. 13 and 232
21.	28-3319	Chs. 99 and 232
22.	28-6501	Chs. 13 and 232
23.	28-6991	Chs. 13 and 232
24.	28-6993	Chs. 13 and 232
25.	31-281	Chs. 96 and 130
26.	32-1213	Chs. 72 and 89
27.	32-1401	Chs. 106 and 180 (<i>Effective 1/1/27</i>)
28.	32-1601	Chs. 180 and 251
29.	32-1854	Chs. 106 and 180 (<i>Effective 1/1/27</i>)
30.	33-1261	Chs. 154 and 243
31.	33-1808	Chs. 154 and 243
32.	36-543	Chs. 160 and 161
33.	36-831	Chs. 33 and 74
34.	36-2202	Chs. 51 and 159
35.	36-2212	Chs. 51 and 184
36.	36-2245	Chs. 51 and 159
37.	36-2907	Chs. 49 and 51
38.	36-3601	Chs. 37 and 210
39.	38-1106	Chs. 88 and 179
40.	42-5159	Chs. 30 and 184
41.	42-11111	Chs. 2, 82 and 140
42.	42-18204	Chs. 66 and 256
43.	42-18204	Chs. 66 and 256 (<i>Effective 10/1/28</i>)

EXPLANATION OF BLEND
SECTION 4-101

Laws 2026, Chapters 70 and 124

Laws 2026, Ch. 70, section 1

Effective January 1, 2027

Laws 2026, Ch. 124, section 2

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 70 and Ch. 124 text changes to section 4-101 are blended effective from and after December 31, 2026 in the form shown on the following pages.

BLEND OF SECTION 4-101
Laws 2026, Chapters 70 and 124

4-101. Definitions

In this title, unless the context otherwise requires:

1. "Act of violence":

(a) Means an incident that consists of a riot, a fight, an altercation or tumultuous conduct and that meets at least one of the following criteria:

(i) Bodily injuries are sustained by any person and the injuries would be obvious to a reasonable person.

(ii) Is of sufficient intensity as to require the intervention of a peace officer to restore normal order.

(iii) A weapon is brandished, displayed or used.

(iv) A licensee or an employee or contractor of the licensee fails to follow a clear and direct lawful order from a law enforcement officer or a fire marshal.

(b) Does not include the use of nonlethal devices by a peace officer.

2. "Aggrieved party" means a person who resides at, owns or leases property within a one-mile radius of premises proposed to be licensed and who filed a written request with the department to speak in favor of or opposition to the issuance of the license not later than sixty days after filing the application or fifteen days after action by the local governing body, whichever is sooner.

3. "ALTERNATIVE NICOTINE PRODUCT":

(a) MEANS ANY NONCOMBUSTIBLE PRODUCT THAT CONTAINS NICOTINE AND THAT IS INTENDED FOR HUMAN CONSUMPTION, WHETHER CHEWED, ABSORBED, DISSOLVED, INGESTED, INHALED OR CONSUMED BY ANY OTHER MEANS.

(b) DOES NOT INCLUDE TOBACCO PRODUCTS OR ANY PRODUCT REGULATED AS A DRUG OR DEVICE BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION UNDER CHAPTER V OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT.

~~3.~~ 4. "Beer":

(a) Means any beverage obtained by the alcoholic fermentation, infusion or decoction of barley malt, hops, rice, bran or other grain, glucose, sugar or molasses, or any combination of them, and may include, as adjuncts in fermentation, honey, fruit, fruit juice, fruit concentrate, herbs, spices and other food materials.

(b) Includes beer aged in an empty wooden barrel previously used to contain wine or distilled spirits and as such is not considered a dilution or mixture of any other spirituous liquor.

~~4.~~ 5. "Biometric identity verification device" means a device

authorized by the department that instantly verifies the identity and age of a person by an electronic scan of a biometric of the person, through a fingerprint, iris image, facial image or other biometric characteristic, or any combination of these characteristics, that references the person's

identity and age against any record described in section 4-241, subsection K, and that meets all of the following conditions:

(a) The authenticity of the record was previously verified by an electronic authentication process.

(b) The identity of and information about the record holder was previously verified through either:

(i) A secondary, electronic authentication process or set of processes using commercially available data, such as a public records query or a knowledge-based authentication quiz.

(ii) Using a state or federal government system of records for digital authentication.

(c) The authenticated record was securely linked to biometrics contemporaneously collected from the verified record holder and is stored in a centralized, highly secured, encrypted biometric database.

~~5.~~ 6. "Board" means the state liquor board.

~~6.~~ 7. "Bona fide guest" means:

(a) An individual who is personally familiar to the member, who is personally sponsored by the member and whose presence as a guest is in response to a specific and personal invitation.

Chs. 70
and 124

(b) In the case of a club that meets the criteria prescribed in paragraph ~~8~~ 10, subdivision (a) of this section, a current member of the armed services of the United States who presents proper military identification and any member of a recognized veterans' organization of the United States and of any country allied with the United States during current or past wars or through treaty arrangements.

~~7.~~ 8. "Broken package" means any container of spirituous liquor on which the United States tax seal has been broken or removed or from which the cap, cork or seal placed on the container by the ~~manufacturer~~ PRODUCER has been removed.

9. "CIDER":

Ch. 70

(a) MEANS ANY BEVERAGE THAT IS MADE FROM THE NORMAL ALCOHOLIC FERMENTATION OF THE JUICE OF SOUND AND RIPE APPLES, PEARS OR OTHER POME FRUIT AND THAT CONTAINS MORE THAN ONE-HALF OF ONE PERCENT OF ALCOHOL BY VOLUME AND NOT MORE THAN EIGHT AND ONE-HALF PERCENT OF ALCOHOL BY VOLUME.

(b) INCLUDES FLAVORED, SPARKLING AND CARBONATED CIDER AND CIDER MADE FROM CONDENSED APPLE, PEAR OR OTHER POME FRUIT MUST.

~~8.~~ 10. "Club" includes any of the following organizations where the sale of spirituous liquor for consumption on the premises is made only to members, spouses of members, families of members, bona fide guests of members and guests at other events authorized in this title:

(a) A post, chapter, camp or other local unit composed solely of veterans and its duly recognized auxiliary that has been chartered by the Congress of the United States for patriotic, fraternal or benevolent purposes and that has, as the owner, lessee or occupant, operated an establishment for that purpose in this state.

(b) A chapter, aerie, parlor, lodge or other local unit of an American national fraternal organization that has, as the owner, lessee or occupant, operated an establishment for fraternal purposes in this state. An American national fraternal organization as used in this subdivision shall actively

operate in at least thirty-six states or have been in active continuous existence for at least twenty years.

(c) A hall or building association of a local unit mentioned in subdivisions (a) and (b) of this paragraph of which all of the capital stock is owned by the local unit or the members and that operates the clubroom facilities of the local unit.

(d) A golf club that has more than fifty bona fide members and that owns, maintains or operates a bona fide golf links together with a clubhouse.

(e) A social club that has more than one hundred bona fide members who are actual residents of the county in which it is located, that owns, maintains or operates club quarters, that is authorized and incorporated to operate as a nonprofit club under the laws of this state, and that has been continuously incorporated and operating for a period of at least one year. The club shall have had, during this one-year period, a bona fide membership with regular meetings conducted at least once each month, and the membership shall be and shall have been actively engaged in carrying out the objects of the club. The club's membership shall consist of bona fide dues-paying members paying dues of at least \$6 per year, payable monthly, quarterly or annually, which have been recorded by the secretary of the club, and the members at the time of application for a club license shall be in good standing having for at least one full year paid dues. At least fifty-one percent of the members shall have signified their intention to secure a social club license by personally signing a petition, on a form prescribed by the board, which shall also include the correct mailing address of each signer. The petition shall not have been signed by a member at a date earlier than one hundred eighty days before the filing of the application. The club shall qualify for exemption from the payment of state income taxes under title 43. It is the intent of this subdivision that a license shall not be granted to a club that is, or has been, primarily formed or activated to obtain a license to sell liquor, but solely to a bona fide club, where the sale of liquor is incidental to the main purposes of the club.

(f) An airline club operated by or for airlines that are certificated by the United States government and that maintain or operate club quarters located at airports with international status.

~~9.~~ 11. "Company" or "association", when used in reference to a corporation, includes successors or assigns.

~~10.~~ 12. "Control" means the power to direct or cause the direction of the management and policies of an applicant or licensee, whether through the ownership of voting securities or a partnership interest, by agreement or otherwise. Control is presumed to exist if a person has the direct or indirect ownership of or power to vote ten percent or more of the outstanding voting securities of the applicant or licensee or to control in any manner the election of one or more of the directors of the applicant or licensee. In the case of a partnership, control is presumed to mean the general partner or a limited partner who holds ten percent or more of the voting rights of the partnership. For the purposes of determining the percentage of voting securities owned, controlled or held by a person, there shall be aggregated with the voting securities attributed to the person the voting securities of an officer, partner, employee or agent of the person or a spouse, parent

or child of the person. Control is also presumed to exist if a creditor of the applicant or licensee holds a beneficial interest in ten percent or more of the liabilities of the licensee. The presumptions in this paragraph regarding control are rebuttable.

~~11.~~ 13. "Controlling person" means a person directly or indirectly possessing control of an applicant or licensee.

~~12.~~ 14. "Craft distiller" means a distiller in the United States or in a territory or possession of the United States that holds a license pursuant to section 4-205.10.

~~13.~~ 15. "Craft producer" means a licensed farm winery, a licensed microbrewery or a licensed craft distiller.

~~14.~~ 16. "Department" means the department of liquor licenses and control.

~~15.~~ 17. "Director" means the director of the department of liquor licenses and control.

~~16.~~ 18. "Distilled spirits" includes alcohol, brandy, whiskey, rum, tequila, mescal, gin, absinthe, a compound or mixture of any of them or of any of them with any vegetable or other substance, alcohol bitters, ~~bitters containing alcohol, fruits preserved in ardent spirits,~~ BEVERAGES THAT CONTAIN MORE THAN ONE-HALF OF ONE PERCENT OF ALCOHOL BY VOLUME AND THAT ARE PRODUCED BY THE DISTILLATION OR RECTIFICATION OF FERMENTED MATERIAL and any alcoholic mixture or preparation, whether patented or otherwise, that may in sufficient quantities produce intoxication.

~~17.~~ 19. "Employee":

(a) Means any person who performs any service on licensed premises on a full-time, part-time or contract basis with consent of the licensee, whether or not the person is denominated an employee or independent contractor or otherwise. ~~Employee~~

(b) Does not include a person who is exclusively on the premises for musical or vocal performances, for repair or maintenance of the premises or for the delivery of goods to the licensee.

~~18.~~ 20. "Farm winery" means a winery in the United States or in a territory or possession of the United States that holds a license pursuant to section 4-205.04.

~~19.~~ 21. "Government license" means a license to serve and sell spirituous liquor on specified premises available only to a state agency, state board, state commission, county, city, town, community college or state university or the national guard or Arizona coliseum and exposition center on application by the governing body of the state agency, state board, state commission, county, city, town, community college or state university or the national guard or Arizona exposition and state fair board.

~~20.~~ 22. "Legal drinking age" means twenty-one years of age or older.

~~21.~~ 23. "License" means a license or an interim retail permit issued pursuant to this title.

~~22.~~ 24. "Licensee" means a person who has been issued a license or an interim retail permit pursuant to this title or a special event licensee.

~~23.~~ 25. "License fees" means fees collected for license issuance, license application, license renewal, interim permit issuance and license transfer between persons or locations.

Ch. 70

~~24.~~ 26. "Manager" means a natural person who meets the standards required of licensees and who has authority to organize, direct, carry on, control or otherwise operate a licensed business on a temporary or full-time basis.

~~25.~~ 27. "Menu food item" means a food item from a regular menu, special menu or happy hour menu that is prepared by the licensee or the licensee's employee.

~~26.~~ 28. "Microbrewery" means a brewery in the United States or in a territory or possession of the United States that meets the requirements of section 4-205.08.

~~27.~~ 29. "Mixed cocktail":

(a) Means any drink combined at the premises of an authorized licensee that contains a spirituous liquor and that is combined with at least one other ingredient, which may include additional spirituous liquors, fruit juice, vegetable juice, mixers, cream, flavored syrup or other ingredients except water, and that when combined contains more than one-half of one percent of alcohol by volume.

(b) Does not include a drink sold in an original manufacturer's packaging or any drink poured from an original manufacturer's package without the addition of all of the cocktail's other ingredients at the premises of the licensed bar, liquor store or restaurant.

30. "NICOTINE":

(a) MEANS THE CHEMICAL SUBSTANCE NAMED 3-(1-METHYL-2-PYRROLIDINYL) PYRIDINE OR C(10)H(14)N(2).

(b) INCLUDES ANY SALT OR COMPLEX OF NICOTINE DERIVED FROM ANY SOURCE.

~~28.~~ 31. "Off-sale retailer" means any person that operates a bona fide regularly established retail liquor store that sells spirituous liquors, wines and beer and any established retail store that sells commodities other than spirituous liquors and that is engaged in the sale of spirituous liquors only in the original unbroken package, to be taken away from the premises of the retailer and to be consumed off the premises.

~~29.~~ 32. "On-sale retailer" means any person operating an establishment where spirituous liquors are sold in the original container for consumption on or off the premises or in individual portions for consumption on the premises.

~~30.~~ 33. "Permanent occupancy" means the maximum occupancy of the building or facility as set by the office of the state fire marshal for the jurisdiction in which the building or facility is located.

~~31.~~ 34. "Person" includes a partnership, limited liability company, association, company or corporation, as well as a natural person.

~~32.~~ 35. "Premises" or "licensed premises":

(a) Means the area from which the licensee is authorized to sell, dispense or serve spirituous liquors under the provision of the license.

(b) Includes a patio that is not contiguous to the remainder of the premises or licensed premises if the patio is separated from the remainder of the premises or licensed premises by a public or private walkway or driveway not to exceed thirty feet, subject to rules the director may adopt to establish criteria for noncontiguous premises.

~~33.~~ 36. "Registered alcohol delivery contractor":

Ch. 124

(a) Means a person who delivers spirituous liquor to a consumer on behalf of a bar, beer and wine bar, liquor store, beer and wine store or restaurant.

(b) Does not include:

(i) A motor carrier as defined in section 28-5201.

(ii) An independent contractor, a subcontractor of an independent contractor, an employee of an independent contractor or an employee of a subcontractor as provided in section 4-203, subsection J.

~~34.~~ 37. "Registered mail" includes certified mail.

~~35.~~ 38. "Registered retail agent" means any person who is authorized pursuant to section 4-222 to purchase spirituous liquors for and on behalf of the person and other retail licensees.

~~36.~~ 39. "Repeated acts of violence" means:

(a) For licensed premises with a permanent occupancy of two hundred or fewer persons, two or more acts of violence occurring within seven days or three or more acts of violence occurring within thirty days.

(b) For licensed premises with a permanent occupancy of more than two hundred but not more than four hundred persons, four or more acts of violence within thirty days.

(c) For licensed premises with a permanent occupancy of more than four hundred but not more than six hundred fifty persons, five or more acts of violence within thirty days.

(d) For licensed premises with a permanent occupancy of more than six hundred fifty but not more than one thousand fifty persons, six or more acts of violence within thirty days.

(e) For licensed premises with a permanent occupancy of more than one thousand fifty persons, seven or more acts of violence within thirty days.

Ch. 124

40. "RETAILER OF ALTERNATIVE NICOTINE PRODUCTS" MEANS A PERSON THAT OPERATES AN ESTABLISHMENT WHERE ALTERNATIVE NICOTINE PRODUCTS ARE SOLD IN THE ORIGINAL PACKAGING OR CONTAINER AND ARE FOR HUMAN CONSUMPTION.

~~37.~~ 41. "Sell" includes soliciting or receiving an order for, keeping or exposing for sale, directly or indirectly delivering for value, peddling, keeping with intent to sell and trafficking in.

~~38.~~ 42. "Spirituous liquor":

(a) Includes alcohol, brandy, whiskey, rum, tequila, mescal, gin, wine, porter, ale, beer, CIDER, any malt liquor or malt beverage, absinthe, a compound or mixture of any of them or of any of them with any vegetable or other substance, alcohol bitters, ~~bitters containing alcohol~~, any liquid mixture or preparation, whether patented or otherwise, that produces intoxication, ~~fruits preserved in ardent spirits~~, and beverages containing more than one-half of one percent of alcohol by volume.

Ch. 70

(b) DOES NOT INCLUDE NONBEVERAGE PRODUCTS AS DEFINED IN 27 CODE OF FEDERAL REGULATIONS PART 17 AND THAT ARE QUALIFIED BY THE UNITED STATES ALCOHOL AND TOBACCO TAX AND TRADE BUREAU AS NONBEVERAGE PRODUCTS.

~~39.~~ 43. "Tamperproof sealed" means designed to prevent consumption without the removal of a tamperproof cap, seal, cork or closure that has a device, mechanism or adhesive that clearly shows whether a container has been opened.

~~40.~~ 44. "Vehicle" means any means of transportation by land, water or air, and includes everything made use of in any way for such transportation.

~~41.~~ 45. "Vending machine" means a machine that dispenses merchandise through the means of coin, token, credit card or other nonpersonal means of accepting payment for merchandise received.

~~42.~~ 46. "Veteran" means a person who has served in the United States
Ch. 70 — air force, army, navy, marine corps, SPACE FORCE or coast guard, as an active nurse in the services of the American red cross, in the army and navy nurse corps in time of war, or in any expedition of the armed forces of the United States, and who has received a discharge other than dishonorable.

~~43.~~ 47. "Voting security" means any security presently entitling the owner or holder of the security to vote for the election of directors of an applicant or a licensee.

~~44.~~ 48. "Wine" means the product obtained by the fermentation of grapes, other agricultural products containing natural or added sugar or cider or any such alcoholic beverage fortified with grape brandy and containing not more than twenty-four percent of alcohol by volume.

EXPLANATION OF BLEND
SECTION 4-120

Laws 2026, Chapters 124 and 127

Laws 2026, Ch. 124, section 5

Effective September 12, 2026

Laws 2026, Ch. 127, section 1

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 124 and Ch. 127 text changes to section 4-120 are blended in the form shown on the following page.

BLEND OF SECTION 4-120
Laws 2026, Chapters 124 and 127

4-120. Liquor licenses fund: exemption

Ch. 124 — A. The liquor licenses fund is established consisting of monies deposited pursuant to sections 4-115, ~~and~~ 4-116.01, 4-401 AND 4-402. The
Ch. 127 — department ~~of liquor licenses and control~~ shall administer the fund. The amount deposited in the fund each year shall not exceed the amount appropriated by the legislature.

B. Monies in the fund are subject to legislative appropriation.

Ch. 127 — C. Monies in the fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations, except that any monies remaining in the fund ON DECEMBER 31 OF EACH YEAR THAT ARE in excess of
Chs. 124 and 127 — ~~seven hundred thousand dollars[at the end of each fiscal year]~~ — Ch. 127
\$700,000 revert to the state general fund.

EXPLANATION OF BLEND
SECTION 4-205.02

Laws 2026, Chapters 70 and 124

Laws 2026, Ch. 70, section 5

Effective January 1, 2027

Laws 2026, Ch. 124, section 6

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 70 and Ch. 124 text changes to section 4-205.02 are blended effective from and after December 31, 2026 in the form shown on the following pages.

BLEND OF SECTION 4-205.02
Laws 2026, Chapters 70 and 124

4-205.02. Restaurant license: issuance: regulatory provisions:
expiration: off-sale leases and permits: fee:
definitions

A. The director may issue a restaurant license to any restaurant in this state that is regularly open for serving food to guests for compensation and that has suitable kitchen facilities connected with the restaurant for keeping, cooking and preparing foods required for ordinary meals.

B. The director shall issue the license in the name of the restaurant on application for the license by the owner or lessee of the restaurant, if the applicant is otherwise qualified to hold a spirituous liquor license. The holder of such a license is subject to the penalties prescribed for any violation of the law relating to alcoholic beverages.

C. The holder of a restaurant license may sell and serve spirituous liquors solely for consumption on the licensed premises. For the purpose of this subsection, "licensed premises" may include rooms, areas or locations in which the restaurant normally sells or serves spirituous liquors pursuant to regular operating procedures and practices and that are contiguous to the restaurant or a noncontiguous patio pursuant to section 4-101, paragraph

Chs. 70
and 124

— ~~32~~ 35. For the purposes of this subsection, a restaurant licensee must submit proof of tenancy or permission from the landowner or lessor for all property to be included in the licensed premises.

D. In addition to other grounds prescribed in this title on which a license may be revoked, the director may require the holder of a restaurant license issued pursuant to this section to surrender the license in any case in which the licensee ceases to operate as a restaurant, as prescribed in subsection A of this section. The surrender of a license pursuant to this subsection does not prevent the director from revoking the license for other grounds prescribed in this title or for making deliberate material misrepresentations to the department regarding the licensee's equipment, service or entertainment items or seating capacity in applying for the restaurant license.

E. Neither the director nor the board may initially issue a restaurant license if either finds that there is sufficient evidence that the operation will not satisfy the criteria adopted by the director for issuing a restaurant license described in section 4-209, subsection B, paragraph 12. The director shall issue a restaurant license only if the applicant has submitted a plan for the operation of the restaurant. The plan shall be completed on forms provided by the department and shall include listings of all restaurant equipment and service items, the restaurant seating capacity and other information requested by the department to substantiate that the restaurant will operate in compliance with this section.

F. The holder of the license described in section 4-209, subsection B, paragraph 12 who intends to alter the seating capacity or dimensions of a restaurant facility shall notify the department in advance on forms provided by the department.

G. The director may charge a fee for site inspections conducted before the issuance of a restaurant license.

H. A restaurant applicant or licensee may apply for a permit allowing for the sale of beer for consumption off the licensed premises pursuant to section 4-244, paragraph 32, subdivision (c) on a form prescribed and furnished by the director. The department shall not issue a permit to a restaurant applicant or licensee that does not meet the requirements in section 4-207, subsection A. Section 4-207, subsection B does not apply to this subsection. The permit shall be issued only after the director has determined that the public convenience requires and that the best interest of the community will be substantially served by the issuance of the permit, considering the same criteria adopted by the director for issuing a restaurant license described in section 4-209, subsection B, paragraph 12. The amount of beer sold under the permit shall not exceed ten percent of gross revenue of spirituous liquor sold by the establishment. After the permit has been issued, the permit shall be noted on the license itself and in the records of the department. The director may charge a fee for processing the application for the permit and a renewal fee.

I. Notwithstanding any rule adopted by the department, business establishments that relied on a form issued by the department that provides for a small restaurant exemption for fifty or fewer seats before January 31, 2019 are allowed to continue to maintain the capacity of fifty or fewer seats for the duration of the business. The rights of a business establishment subject to this section are not transferable.

J. Notwithstanding section 4-203, subsection E, section 4-207 and section 4-210, subsection A, paragraph 6, through December 31, 2025, a restaurant applicant or licensee may apply to the department for a lease for the privilege of selling mixed cocktails for consumption off the licensed premises pursuant to ~~section 4-203.06 and~~ section 4-244, paragraph 32, subdivision (d).

K. Notwithstanding section 4-207, beginning January 1, 2026, a restaurant applicant or licensee may apply for a permit to allow the sale of mixed cocktails for consumption off the licensed premises pursuant to section 4-203.07 and section 4-244, paragraph 32, subdivision (d), on a form prescribed and furnished by the director. The sale of mixed cocktails for consumption off the licensed premises must be accompanied by the sale of menu food items for consumption on or off the licensed premises. The department shall issue the permit only after the director has determined that the public convenience requires and that the best interest of the community will be substantially served by issuing the permit. All permit holders and their employees, managers and agents must complete alcohol training pursuant to section 4-112, subsection G, paragraph 2. After the department issues the permit, the permit shall be noted on the license itself and in the records of the department. The director may establish and charge a fee for processing the permit application and a renewal fee.

L. A restaurant licensee shall cease selling spirituous liquor, including mixed cocktails, for off-premises consumption when the licensee ceases regular kitchen service for food.

M. For the purposes of this section:

1. "Gross revenue":

(a) Means the revenue derived from all sales of food and spirituous liquor on the licensed premises, regardless of whether the sales of spirituous liquor are made under a restaurant license issued pursuant to this section or under any other license that has been issued for the premises pursuant to this article.

(b) Includes revenue derived from spirituous liquor sold for off-sale consumption.

2. "Restaurant" means an establishment that derives at least forty percent of its gross revenue from the sale of food, including sales of food for consumption off the licensed premises if the amount of these sales included in the calculation of gross revenue from the sale of food does not exceed fifteen percent of all gross revenue of the restaurant.

EXPLANATION OF BLEND
SECTION 4-244

Laws 2026, Chapters 70 and 124

Laws 2026, Ch. 70, section 17

Effective January 1, 2027

Laws 2026, Ch. 124, section 7

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 70 and Ch. 124 text changes to section 4-244 are blended effective from and after December 31, 2026 in the form shown on the following pages.

BLEND OF SECTION 4-244
Laws 2026, Chapters 70 and 124

4-244. Unlawful acts: definition

It is unlawful:

1. For a person to buy for resale, sell or deal in spirituous liquors in this state without first having procured a license duly issued by the board, except that the director may issue a temporary permit of any series pursuant to section 4-205.05 to a trustee in bankruptcy to acquire and dispose of the spirituous liquor of a debtor.

2. For a person to sell or deal in alcohol for beverage purposes without first complying with this title.

3. For a distiller, vintner, brewer or wholesaler knowingly to sell, dispose of or give spirituous liquor to any person other than a licensee except in sampling wares as may be necessary in the ordinary course of business, except in donating spirituous liquor to a nonprofit organization that has obtained a special event license for the purpose of charitable fundraising activities or except in donating spirituous liquor with a cost to the distiller, brewer or wholesaler of up to \$500 in a calendar year to an organization that is exempt from federal income taxes under section 501(c) (3), (4), (6) or (7) of the internal revenue code and not licensed under this title.

4. For a distiller, vintner or brewer to require a wholesaler to offer or grant a discount to a retailer, unless the discount has also been offered and granted to the wholesaler by the distiller, vintner or brewer.

5. For a distiller, vintner or brewer to use a vehicle for trucking or transporting spirituous liquors unless there is affixed to both sides of the vehicle a sign showing the name and address of the licensee and the type and number of the person's license in letters not less than three and one-half inches in height.

6. For a person to take or solicit orders for spirituous liquors unless the person is a salesman or solicitor of a licensed wholesaler, a salesman or solicitor of a distiller, brewer, vintner, importer or broker or a registered retail agent.

7. For any retail licensee to purchase spirituous liquors from any person other than a solicitor or salesman of a wholesaler licensed in this state.

8. For a retailer to acquire an interest in property owned, occupied or used by a wholesaler in the wholesaler's business, or in a license with respect to the premises of the wholesaler.

9. Except as provided in paragraphs 10 and 11 of this section, for a licensee or other person to sell, furnish, dispose of or give, or cause to be sold, furnished, disposed of or given, to a person under the legal drinking age or for a person under the legal drinking age to buy, receive, have in the person's possession or consume spirituous liquor. This

paragraph does not prohibit the employment by an off-sale retailer of persons who are at least sixteen years of age to check out, if supervised by a person on the premises who is at least eighteen years of age, package or carry merchandise, including spirituous liquor, in unbroken packages, for the convenience of the customer of the employer, if the employer sells primarily merchandise other than spirituous liquor.

Ch. 70 — 10. For a licensee to employ a person under eighteen years of age to manufacture, sell or dispose of spirituous liquors. This paragraph does not prohibit the employment by an off-sale retailer of persons who are at least sixteen years of age to check out, if supervised by a person on the premises who is at least eighteen years of age, package or carry merchandise, including spirituous liquor, in unbroken packages, for the convenience of the customer of the employer, if the employer sells primarily merchandise other than spirituous liquor.

11. For an on-sale retailer to employ a person under eighteen years of age in any capacity connected with the handling of spirituous liquors. This paragraph does not prohibit the employment by an on-sale retailer of a person under eighteen years of age who cleans up the tables on the premises for reuse, removes dirty dishes, keeps a ready supply of needed items and helps clean up the premises.

12. For a licensee, when engaged in waiting on or serving customers, to consume spirituous liquor or for a licensee or on-duty employee to be on or about the licensed premises while in an intoxicated or disorderly condition.

13. For an employee of a retail licensee, during that employee's working hours or in connection with such employment, to give to or purchase for any other person, accept a gift of, purchase for the employee or consume spirituous liquor, except that:

(a) An employee of a licensee, during that employee's working hours or in connection with the employment, while the employee is not engaged in waiting on or serving customers, may give spirituous liquor to or purchase spirituous liquor for any other person.

(b) An employee of an on-sale retail licensee, during that employee's working hours or in connection with the employment, while the employee is not engaged in waiting on or serving customers, may taste samples of beer or wine of not more than four ounces per day or distilled spirits of not more than two ounces per day provided by an employee of a wholesaler or distributor who is present at the time of the sampling.

(c) An employee of an on-sale retail licensee, under the supervision of a manager as part of the employee's training and education, while not engaged in waiting on or serving customers may taste samples of distilled spirits of not more than two ounces per educational session or beer or wine of not more than four ounces per educational session, and provided that a licensee does not have more than two educational sessions in any thirty-day period.

(d) An unpaid volunteer who is a bona fide member of a club and who is not engaged in waiting on or serving spirituous liquor to customers may purchase for himself and consume spirituous liquor while participating in a scheduled event at the club. An unpaid participant in a food competition

may purchase for himself and consume spirituous liquor while participating in the food competition.

(e) An unpaid volunteer of a special event licensee under section 4-203.02 may purchase and consume spirituous liquor while not engaged in waiting on or serving spirituous liquor to customers at the special event. This subdivision does not apply to an unpaid volunteer whose responsibilities include verification of a person's legal drinking age, security or the operation of any vehicle or heavy machinery.

(f) A representative of a producer or wholesaler participating at a special event under section 4-203.02 may consume small amounts of the products of the producer or wholesaler on the premises of the special event for the purpose of quality control.

14. For a licensee or other person to serve, sell or furnish spirituous liquor to a disorderly or obviously intoxicated person, or for a licensee or employee of the licensee to allow a disorderly or obviously intoxicated person to come into or remain on or about the premises, except that a licensee or an employee of the licensee may allow an obviously intoxicated person to remain on the premises for not more than thirty minutes after the state of obvious intoxication is known or should be known to the licensee for a nonintoxicated person to transport the obviously intoxicated person from the premises. For the purposes of this section, "obviously intoxicated" means inebriated to the extent that a person's physical faculties are substantially impaired and the impairment is shown by significantly uncoordinated physical action or significant physical dysfunction that would have been obvious to a reasonable person.

15. For an on-sale or off-sale retailer or an employee of such retailer or an alcohol delivery contractor to sell, dispose of, deliver or give spirituous liquor to a person between the hours of 2:00 a.m. and 6:00 a.m., except that:

(a) A retailer with off-sale privileges may receive and process orders, accept payment or package, load or otherwise prepare spirituous liquor for delivery at any time, if the actual deliveries to customers are made between the hours of 6:00 a.m. and 2:00 a.m., at which time section 4-241, subsections A and K apply.

(b) The governor, in consultation with the governor's office of highway safety and the public safety community in this state, may issue an executive order that extends the closing time until 3:00 a.m. for spirituous liquor sales in connection with a professional or collegiate national sporting championship event held in this state.

16. For a licensee or employee to knowingly allow any person on or about the licensed premises to give or furnish any spirituous liquor to any person under twenty-one years of age or knowingly allow any person under twenty-one years of age to have in the person's possession spirituous liquor on the licensed premises.

17. For an on-sale retailer or an employee of such retailer to allow a person to consume or possess spirituous liquors on the premises between the hours of 2:30 a.m. and 6:00 a.m., except that if the governor extends the closing time for a day for spirituous liquor sales pursuant to paragraph 15 of this section it is unlawful for an on-sale retailer or an employee of

such retailer on that day to allow a person to consume or possess spirituous liquor on the premises between the hours of 3:30 a.m. and 6:00 a.m.

18. For an on-sale retailer to allow an employee or for an employee to solicit or encourage others, directly or indirectly, to buy the employee drinks or anything of value in the licensed premises during the employee's working hours. An on-sale retailer shall not serve employees or allow a patron of the establishment to give spirituous liquor to, purchase liquor for or drink liquor with any employee during the employee's working hours.

19. For an off-sale retailer or employee to sell spirituous liquor except in the original unbroken container, to allow spirituous liquor to be consumed on the premises or to knowingly allow spirituous liquor to be consumed on adjacent property under the licensee's exclusive control.

20. For a person to consume spirituous liquor in a public place, thoroughfare or gathering. The license of a licensee allowing a violation of this paragraph on the premises shall be subject to revocation. This paragraph does not apply to the sale of spirituous liquors on the premises of and by an on-sale retailer. This paragraph also does not apply to a person consuming beer or wine from a broken package in a public recreation area or on private property with permission of the owner or lessor or on the walkways surrounding such private property or to a person consuming beer or wine from a broken package in a public recreation area as part of a special event or festival that is conducted under a license secured pursuant to section 4-203.02 or 4-203.03.

Ch. 70 — 21. For a person to possess or to transport spirituous liquor that is ~~manufactured~~ PRODUCED in a distillery, winery, brewery or rectifying plant contrary to the laws of the United States and this state. Any property
Ch. 124 — used in transporting such spirituous liquor shall be forfeited to ~~the~~ THIS state and shall be seized and disposed of as provided in section 4-221.

Ch. 124 — 22. For an on-sale retailer or employee to allow a person under the legal drinking age to remain in an area on the licensed premises during those hours in which its primary use is the sale, dispensing or consumption of alcoholic beverages after the licensee, or the licensee's employees, know or should have known that the person is under the legal drinking age. An on-sale retailer may designate an area of the licensed premises as an area in which spirituous liquor will not be sold or consumed ~~for the purpose of~~ allowing TO ALLOW underage persons on the premises if the designated area is separated by a physical barrier and at no time will underage persons have access to the area in which spirituous liquor is sold or consumed. A licensee or an employee of a licensee may require a person who intends to enter a licensed premises or a portion of a licensed premises where persons under the legal drinking age are prohibited under this section to exhibit an instrument of identification that is acceptable under section 4-241 as a condition of entry or may use a biometric identity verification device to determine the person's age as a condition of entry. The director, or a municipality, may adopt rules to regulate the presence of underage persons on licensed premises provided the rules adopted by a municipality are more stringent than those adopted by the director. The rules adopted by the municipality shall be adopted by local ordinance and shall not interfere with the licensee's ability to comply with this paragraph. This paragraph does not apply:

(a) If the person under the legal drinking age is accompanied by a spouse, parent, grandparent or legal guardian of legal drinking age or is an on-duty employee of the licensee.

(b) If the owner, lessee or occupant of the premises is a club as defined in section 4-101, paragraph ~~8~~ 9, subdivision (a) and the person under the legal drinking age is any of the following:

(i) An active duty military service member.

(ii) A veteran.

(iii) A member of the United States army national guard or the United States air national guard.

(iv) A member of the United States military reserve forces.

(c) To the area of the premises used primarily for serving food during the hours when food is served.

23. For an on-sale retailer or employee to conduct drinking contests, to sell or deliver to a person an unlimited number of spirituous liquor beverages during any set period of time for a fixed price, to deliver more than fifty ounces of beer, one liter of wine or four ounces of distilled spirits in any spirituous liquor drink to one person at one time for that person's consumption or to advertise any practice prohibited by this paragraph. This paragraph does not prohibit an on-sale retailer or employee from selling and delivering an opened, original container of distilled spirits if:

(a) Service or pouring of the spirituous liquor is provided by an employee of the on-sale retailer. A licensee shall not be charged for a violation of this paragraph if a customer, without the knowledge of the retailer, removes or tampers with a locking device on a bottle delivered to the customer for bottle service and the customer pours the customer's own drink from the bottle, if when the licensee becomes aware of the removal or tampering of the locking device the licensee immediately installs a functioning locking device on the bottle or removes the bottle and lock from bottle service.

(b) The employee of the on-sale retailer monitors consumption to ensure compliance with this paragraph. Locking devices may be used, but are not required.

24. For a licensee or employee to knowingly allow the unlawful possession, use, sale or offer for sale of narcotics, dangerous drugs or marijuana on the premises. For the purposes of this paragraph, "dangerous drug" has the same meaning prescribed in section 13-3401.

25. For a licensee or employee to knowingly allow prostitution or the solicitation of prostitution on the premises.

26. For a licensee or employee to knowingly allow unlawful gambling on the premises.

27. For a licensee or employee to knowingly allow trafficking or attempted trafficking in stolen property on the premises.

28. For a licensee or employee to fail or refuse to make the premises or records available for inspection and examination as provided in this title or to comply with a lawful subpoena issued under this title.

29. For any person other than a peace officer while on duty or off duty or a member of a sheriff's volunteer posse while on duty who has received firearms training that is approved by the Arizona peace officer

standards and training board, a retired peace officer as defined in section 38-1113 or an honorably retired law enforcement officer who has been issued a certificate of firearms proficiency pursuant to section 13-3112, subsection T, the licensee or an employee of the licensee acting with the permission of the licensee to be in possession of a firearm while on the licensed premises of an on-sale retailer. This paragraph does not include a situation in which a person is on licensed premises for a limited time in order to seek emergency aid and such person does not buy, receive, consume or possess spirituous liquor. This paragraph does not apply to:

- (a) Hotel or motel guest room accommodations.
- (b) Exhibiting or displaying a firearm in conjunction with a meeting, show, class or similar event.
- (c) A person with a permit issued pursuant to section 13-3112 who carries a concealed handgun on the licensed premises of any on-sale retailer that has not posted a notice pursuant to section 4-229.

30. For a licensee or employee to knowingly allow a person in possession of a firearm other than a peace officer while on duty or off duty or a member of a sheriff's volunteer posse while on duty who has received firearms training that is approved by the Arizona peace officer standards and training board, a retired peace officer as defined in section 38-1113 or an honorably retired law enforcement officer who has been issued a certificate of firearms proficiency pursuant to section 13-3112, subsection T, the licensee or an employee of the licensee acting with the permission of the licensee to remain on the licensed premises or to serve, sell or furnish spirituous liquor to a person in possession of a firearm while on the licensed premises of an on-sale retailer. It is a defense to action under this paragraph if the licensee or employee requested assistance of a peace officer to remove such person. This paragraph does not apply to:

- (a) Hotel or motel guest room accommodations.
- (b) Exhibiting or displaying a firearm in conjunction with a meeting, show, class or similar event.
- (c) A person with a permit issued pursuant to section 13-3112 who carries a concealed handgun on the licensed premises of any on-sale retailer that has not posted a notice pursuant to section 4-229.

31. For any person in possession of a firearm while on the licensed premises of an on-sale retailer to consume spirituous liquor. This paragraph does not prohibit the consumption of small amounts of spirituous liquor by an undercover peace officer on assignment to investigate the licensed establishment.

32. For a licensee or employee to knowingly allow spirituous liquor to be removed from the licensed premises, except in the original unbroken package. This paragraph does not apply to any of the following:

- (a) A person who removes a bottle of wine that has been partially consumed in conjunction with a purchased meal from licensed premises if a cork is inserted flush with the top of the bottle or the bottle is otherwise securely closed.

- (b) A person who is in licensed premises that have noncontiguous portions that are separated by a public or private walkway or driveway and who takes spirituous liquor from one portion of the licensed premises across

the public or private walkway or driveway directly to the other portion of the licensed premises.

(c) A licensee of a bar, beer and wine bar, liquor store, beer and wine store, microbrewery or restaurant that has a permit pursuant to section 4-205.02, subsection H that dispenses beer only in a clean container composed of a material approved by a national sanitation organization with a maximum capacity that does not exceed one gallon and not for consumption on the premises if:

(i) The licensee or the licensee's employee fills the container at the tap at the time of sale.

(ii) The container is sealed and displays a government warning label.

Chs. 70 and 124 { (d) A bar or liquor store licensee that prepares a mixed cocktail or a restaurant licensee that ~~leases the privilege to sell mixed cocktails for consumption off the licensed premises pursuant to section 4-203.06 or~~ holds a permit pursuant to section 4-203.07 and section 4-205.02, subsection K and that prepares a mixed cocktail and transfers it to a clean container composed of a material approved by a national sanitation organization with a maximum capacity that does not exceed thirty-two ounces and not for consumption on the premises if all of the following apply:

(i) The licensee or licensee's employee fills the container with the mixed cocktail on the licensed premises of the bar, liquor store or restaurant.

(ii) The container is tamperproof sealed by the licensee or the licensee's employee and displays a government warning label.

(iii) The container clearly displays the bar's, liquor store's or restaurant's logo or name.

(iv) For a restaurant licensee licensed pursuant to section 4-205.02, the sale of mixed cocktails for consumption off the licensed premises is accompanied by the sale of menu food items for consumption on or off the licensed premises.

33. For a person who is obviously intoxicated to buy or attempt to buy spirituous liquor from a licensee or employee of a licensee or to consume spirituous liquor on licensed premises.

34. For a person who is under twenty-one years of age to drive or be in physical control of a motor vehicle while there is any spirituous liquor in the person's body.

35. For a person who is under twenty-one years of age to operate or be in physical control of a motorized watercraft that is underway while there is any spirituous liquor in the person's body. For the purposes of this paragraph, "underway" has the same meaning prescribed in section 5-301.

36. For a licensee, manager, employee or controlling person to purposely induce a voter, by means of alcohol, to vote or abstain from voting for or against a particular candidate or issue on an election day.

37. For a licensee to fail to report an occurrence of an act of violence to either the department or a law enforcement agency.

Ch. 124 { 38. For a licensee to use a vending machine ~~for the purpose of dispensing~~ TO DISPENSE spirituous liquor.

39. For a licensee to offer for sale a wine carrying a label including a reference to Arizona or any Arizona city, town or geographic location

unless at least seventy-five percent by volume of the grapes used in making the wine were grown in Arizona.

40. For a retailer to knowingly allow a customer to bring spirituous liquor onto the licensed premises, except that an on-sale retailer may allow a wine and food club to bring wine onto the premises for consumption by the club's members and guests of the club's members in conjunction with meals purchased at a meeting of the club that is conducted on the premises and that at least seven members attend. An on-sale retailer that allows wine and food clubs to bring wine onto its premises under this paragraph shall comply with all applicable provisions of this title and any rules adopted pursuant to this title to the same extent as if the on-sale retailer had sold the wine to the members of the club and their guests. For the purposes of this paragraph, "wine and food club" means an association that has more than twenty bona fide members paying at least \$6 per year in dues and that has been in existence for at least one year.

41. For a person who is under twenty-one years of age to have in the person's body any spirituous liquor. In a prosecution for a violation of this paragraph:

(a) Pursuant to section 4-249, it is a defense that the spirituous liquor was consumed in connection with the bona fide practice of a religious belief or as an integral part of a religious exercise and in a manner not dangerous to public health or safety.

(b) Pursuant to section 4-226, it is a defense that the spirituous liquor was consumed for a bona fide medicinal purpose and in a manner not dangerous to public health or safety.

42. For an employee of a licensee to accept any gratuity, compensation, remuneration or consideration of any kind to either:

(a) Allow a person who is under twenty-one years of age to enter any portion of the premises where that person is prohibited from entering pursuant to paragraph 22 of this section.

(b) Sell, furnish, dispose of or give spirituous liquor to a person who is under twenty-one years of age.

43. For a person to purchase, offer for sale or use any device, machine or process that mixes spirituous liquor with pure oxygen or another gas to produce a vaporized product for the purpose of consumption by inhalation or to allow patrons to use any item for the consumption of vaporized spirituous liquor.

44. For a retail licensee or an employee of a retail licensee to sell spirituous liquor to a person if the retail licensee or employee knows the person intends to resell the spirituous liquor.

45. Except as authorized by paragraph 32, subdivision (c) of this section, for a person to reuse a bottle or other container authorized for use by the laws of the United States or any agency of the United States for the packaging of distilled spirits or for a person to increase the original contents or a portion of the original contents remaining in a liquor bottle or other authorized container by adding any substance.

46. For a direct shipment licensee, a farm winery licensee or an employee of those licensees to sell, dispose of, deliver or give spirituous liquor to an individual purchaser between the hours of 2:00 a.m. and 6:00 a.m., except that a direct shipment licensee or a farm winery licensee

may receive and process orders, accept payment, package, load or otherwise prepare wine for delivery at any time without complying with section 4-241, subsections A and K, if the actual deliveries to individual purchasers are made between the hours of 6:00 a.m. and 2:00 a.m. and in accordance with section 4-203.04 for direct shipment licensees and section 4-205.04 for farm winery licensees.

47. For a supplier to coerce or attempt to coerce a wholesaler to accept delivery of beer or any other commodity that has not been ordered by the wholesaler or for which the order was canceled. A supplier may impose reasonable inventory requirements on a wholesaler if the requirements are made in good faith and are generally applied to other similarly situated wholesalers that have an agreement with the supplier.

Ch. 124

48. FROM AND AFTER DECEMBER 31, 2027, FOR A RETAILER OF ALTERNATIVE NICOTINE PRODUCTS TO PURCHASE ALTERNATIVE NICOTINE PRODUCTS FROM AN UNLICENSED DISTRIBUTOR OF ALTERNATIVE NICOTINE PRODUCTS OR AN UNLICENSED MANUFACTURER OF ALTERNATIVE NICOTINE PRODUCTS.

EXPLANATION OF BLEND
SECTION 8-514.03

Laws 2026, Chapters 76 and 190

Laws 2026, Ch. 76, section 2

Effective September 12, 2026

Laws 2026, Ch. 190, section 4

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 76 and Ch. 190 text changes to section 8-514.03 are blended in the form shown on the following pages.

BLEND OF SECTION 8-514.03
Laws 2026, Chapters 76 and 190

8-514.03. Kinship foster care: requirements: investigation

Ch. 76 { A. The department shall establish kinship foster care services for a child who has been removed from the child's home and who is in the custody of the department. The program shall ~~promote~~ PRESUME the placement of the child with the child's relative, AN EXTENDED FAMILY MEMBER or a person with a significant relationship with the child for kinship foster care IS IN THE BEST INTEREST OF THE CHILD.

B. A kinship foster care parent applicant who is not a licensed foster care parent shall be at least eighteen years of age. The applicant and each member of the applicant's household who is at least eighteen years of age shall submit a full set of fingerprints to the department of child safety for the purpose of obtaining a state and federal criminal records check pursuant to section 41-1750 and Public Law 92-544. The department of public safety may exchange this fingerprint data with the federal bureau of investigation. The department of child safety shall determine if the applicant is able to meet the child's health and safety needs by conducting one or more home visits and interviewing the applicant. The department of child safety may interview other household members, review the applicant's personal and professional references and conduct department of child safety central registry checks.

Ch. 76 { C. If the department determines that a kinship foster care placement is not in the best interest of the child, the department shall provide written notification to the applicant within fifteen business days. The notice shall include the specific reason ~~for denial~~ WHY THE DEPARTMENT DETERMINED THE PLACEMENT IN KINSHIP FOSTER CARE IS NOT IN THE BEST INTEREST OF THE CHILD, the applicant's right to appeal and the process for reviewing the decision.

D. A kinship foster care parent may be eligible to receive the following financial services for the child:

1. Full foster care benefits, including payment if the kinship foster care parent becomes a licensed foster care home or if the kinship foster care parent obtains a restricted license pursuant to section 8-509, subsection C.

2. Temporary assistance for needy families cash assistance payments for a child only case and supplemental financial support.

E. The department shall establish procedures for child welfare workers to inform kinship foster care families about available financial and nonfinancial services and eligibility requirements and shall assist the families in completing the necessary application.

Chs. 76
and 190

F. If a family declines to apply for financial services, the family shall sign a statement indicating that the family declined services. The statement does not prevent the family from ~~making application~~ APPLYING FOR FINANCIAL SERVICES in the future. The worker shall provide a copy of the statement to the family.

G. The department shall provide nonfinancial services for a kinship foster care parent through existing means or referral. Nonfinancial services may include:

1. Family assessment.
2. Case management.
3. Child day care.
4. Housing search and relocation.
5. Parenting skills training.
6. Supportive intervention and guidance counseling.
7. Transportation.
8. Emergency services.
9. Parent aid services.
10. Respite services.

11. Additional services that the department determines are necessary to meet the needs of the child and family.

Ch. 190

H. THE DEPARTMENT MAY CONDUCT UNANNOUNCED VISITS AND INSPECTIONS OF A HOME WHERE A CHILD WHO IS IN THE CARE AND CUSTODY OF THE DEPARTMENT IS PLACED IN A KINSHIP FOSTER CARE SETTING PURSUANT TO THIS SECTION.

EXPLANATION OF BLEND
SECTION 8-514.07

Laws 2026, Chapters 76 and 181

Laws 2026, Ch. 76, section 3

Effective September 12, 2026

Laws 2026, Ch. 181, section 3

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 76 and Ch. 181 text changes to section 8-514.07 are blended in the form shown on the following pages.

BLEND OF SECTION 8-514.07
Laws 2026, Chapters 76 and 181

8-514.07. Kinship foster care: relative identification and notification; due diligence search

A. If a child is taken into temporary custody, as part of the ongoing search, the department shall use due diligence in an initial search to identify and notify adult relatives of the child, **EXTENDED FAMILY MEMBERS** and persons with a significant relationship with the child within thirty days after the child is taken into temporary custody.

B. The search to identify adult relatives of the child, **EXTENDED FAMILY MEMBERS** or persons with a significant relationship with the child must include:

1. An interview with the child's parent.
2. An interview with the child.
3. Interviews with identified adult relatives **OR EXTENDED FAMILY MEMBERS**.
4. Interviews with other persons who are likely to have information regarding the location of adult relatives of the child, **EXTENDED FAMILY MEMBERS** or persons with a significant relationship with the child.
5. A comprehensive search of available records that are likely to help identify and locate a person being sought, including:
 - (a) Employment records.
 - (b) Vehicle registration records.
 - (c) Child support enforcement records.
 - (d) Utility accounts.
 - (e) Previous residential addresses.
 - (f) Law enforcement records.
 - (g) State department of corrections records.
6. Thorough inquiries by the court of the parties during case hearings.

7. Any other means the department deems likely to identify adult relatives of the child, **EXTENDED FAMILY MEMBERS** or persons with a significant relationship with the child.

C. Within thirty days after the child is taken into temporary custody and at each subsequent review and report hearing or permanency planning hearing, the department shall file with the court ~~documentation~~ **AN INITIAL REPORT** regarding attempts made pursuant to this section or as otherwise required by the court to identify and notify adult relatives of the child, **EXTENDED FAMILY MEMBERS** and persons with a significant relationship with the child. This ~~documentation~~ **INITIAL REPORT** shall include a detailed narrative explaining the department's efforts to consider each potential placement and the specific outcome. **THE DEPARTMENT SHALL UPDATE THE INITIAL REPORT THAT IS FILED PURSUANT TO THIS SUBSECTION AT EACH SUBSEQUENT REPORT AND REVIEW HEARING OR PERMANENCY PLANNING HEARING WITH ANY NEW INFORMATION THAT HAS BEEN OBTAINED SINCE THE FILING OF THE LAST REPORT.**

D. The department shall provide WRITTEN notice to adult relatives of the child, EXTENDED FAMILY MEMBERS and persons with a significant relationship with the child who are identified through the search requirements of this section. The notice shall do the following:

1. Specify that the child has been or is being removed from the child's parental custody.

2. Explain the options an adult relative of the child, AN EXTENDED FAMILY MEMBER or a person with a significant relationship with the child has to participate in the care or placement of the child.

3. Explain that financial assistance and other forms of support are available to adult relatives of the child, EXTENDED FAMILY MEMBERS and persons with a significant relationship with the child with whom the child is placed.

Ch. 76

4. Describe the process for becoming a licensed foster parent and the additional services and support that are available for children placed in approved foster homes.

5. Require an adult relative of the child, AN EXTENDED FAMILY MEMBER or a person with a significant relationship with the child to respond within thirty days after receiving notice that the child has been removed from the home.

E. If the child is not placed with an adult relative of the child, EXTENDED FAMILY MEMBER or person with a significant relationship with the child or the child is placed with an adult relative, EXTENDED FAMILY MEMBER or person with a significant relationship with the child who is unable or unwilling to provide permanent placement for the child, the department shall continue to conduct an ongoing search for adult relatives of the child, EXTENDED FAMILY MEMBERS or persons with a significant relationship with the child. ~~The department shall engage in search efforts~~

Ch. 181

F. If, AFTER THE PERMANENCY HEARING HELD PURSUANT TO SECTION 8-862, THE DEPARTMENT AND THE COURT DETERMINE THAT A CHILD IS PLACED WITH A PROSPECTIVE PERMANENT PLACEMENT, THE DEPARTMENT MAY STOP SEARCH EFFORTS UNLESS ordered by the court, a change in the child's placement occurs or a party shows that the search is in the best interest of the child.

~~F.~~ G. The department shall file with the court documentation of both of the following:

1. The completed due diligence search efforts. This documentation shall include:

(a) The names of and relevant information about adult relatives of the child, EXTENDED FAMILY MEMBERS or persons with a significant relationship with the child.

Ch. 76

(b) The steps taken by the department to locate and contact adult relatives of the child, EXTENDED FAMILY MEMBERS or persons with a significant relationship with the child.

(c) The WRITTEN responses received from adult relatives of the child, EXTENDED FAMILY MEMBERS or persons with a significant relationship with the child.

(d) The dates of each attempted or completed contact with an adult relative of the child, **AN EXTENDED FAMILY MEMBER** or a person with a significant relationship with the child.

(e) The reasons why an adult relative of the child, **AN EXTENDED FAMILY MEMBER** or a person with a significant relationship with the child was not considered for temporary or permanent placement of the child.

2. All efforts for placement of the child through an interstate compact agreement pursuant to section 8-548. This documentation shall include:

(a) The names of adult relatives of the child, **EXTENDED FAMILY MEMBERS** or persons with a significant relationship with the child who were considered for an interstate placement.

(b) Any pending placement of the child through an interstate compact agreement.

(c) All potential out-of-state placements outside of an interstate compact agreement and the reasons such placements have not been initiated.

~~G.~~ **H.** If an out-of-state placement option exists and the department has failed to file a request with the receiving state pursuant to the requirements of an interstate compact agreement pursuant to section 8-548, the court shall enter a finding that the department has not made a due diligence search and shall order the department to file a request with the receiving state pursuant to the terms of the interstate compact agreement.

EXPLANATION OF BLEND
SECTION 8-529

Laws 2026, Chapters 76 and 181

Laws 2026, Ch. 76, section 4

Effective September 12, 2026

Laws 2026, Ch. 181, section 4

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 76 and Ch. 181 text changes to section 8-529 are blended in the form shown on the following pages.

BLEND OF SECTION 8-529
Laws 2026, Chapters 76 and 181

8-529. Children in foster care and kinship foster care: rights

A. A child WHO IS in foster care [~~and~~ OR] kinship foster care has the following rights:

1. To appropriate care and treatment in the least restrictive setting available that can meet the child's needs according to the best judgment of the foster parent, ADULT RELATIVE OF THE CHILD, EXTENDED FAMILY MEMBER OR PERSON WITH A SIGNIFICANT RELATIONSHIP WITH THE CHILD.

2. To live in a safe, healthy and comfortable placement where the child can receive reasonable protection from harm and appropriate privacy for personal needs and where the child is treated with respect.

3. To be placed with ~~a~~ AN ADULT relative ~~when such placement is in the best interest~~ of the child, EXTENDED FAMILY MEMBER OR PERSON WITH A SIGNIFICANT RELATIONSHIP WITH THE CHILD UNLESS THE PLACEMENT IS NOT IN THE BEST INTEREST OF THE CHILD.

4. To be placed with or in close proximity to the child's siblings when possible and to visit and have contact with siblings and family members when ~~[it] is in the best interest of the child~~ [THE PLACEMENT, VISITATION OR CONTACT] DOES NOT POSE A RISK TO THE CHILD'S SAFETY OR THE SAFETY OF THE CHILD'S SIBLINGS.

5. To know why the child is in foster care and what will happen to the child and to the child's family, including siblings, and case plans.

6. Whenever possible, to be placed with a foster family that can accommodate the child's communication needs.

7. To be disciplined in a manner that is appropriate to the child's level of maturity and not be subjected to physical discipline methods.

8. To attend community, school, extracurricular and religious services and activities of the child's choice to the extent that it is appropriate for the child, as planned and discussed with the child's placement worker and caseworker and based on caregiver ability if transportation is available through a responsible party.

9. To go to school and receive an education that fits the child's age and individual needs. If remaining in the child's current school is not in the child's best interest, the child has the right to be enrolled in the least restrictive school available.

10. To training in personal care, hygiene and grooming.

11. To clothing that fits comfortably and is adequate to protect the child against natural elements such as rain, snow, wind, cold and sun.

12. To have personal possessions at home and to acquire additional possessions within reasonable limits, as planned and discussed with the child's foster parent, placement worker and caseworker, and based on caregiver ability.

Chs. 76
and 181

Ch. 76

Chs. 76
and 181

13. To personal space, preferably in the child's foster home bedroom for storing clothing and belongings.

14. To healthy foods in healthy portions that are appropriate for the child's age.

15. To comply with any approved visitation plan, and to have any restrictions explained to the child in a manner and level of details deemed age appropriate by the foster parent in agreement with the caseworker and documented in the child's record.

16. If the child is six years of age or older, to receive contact information for the child's caseworker, attorney or advocate and to speak with them in private if necessary.

17. To be represented by an attorney in all proceedings initiated pursuant to this title.

Ch. 76 — 18. To participate in ~~age appropriate~~ AGE-APPROPRIATE child's service planning and permanency planning meetings and to be given a copy or summary of each service plan and service plan review. The child may request someone to participate on the child's behalf or to support the child in this participation.

19. To attend the child's court hearing and speak to the judge.

Chs. 76 and 181 { 20. To have the child's records and personal information kept private and discussed only when it is about the child's care[,] except THAT the foster parent shall have full access to the records to determine ~~if~~ WHETHER the child will be successful in the home. During the foster placement, if the foster parent requests to view the record on experiencing problems with the child's adjustment, the full record shall be made available for viewing by the foster parent.

Ch. 181 — 21. To receive IMMEDIATE AND UNBIASED medical, dental, vision and mental health services and to be informed about diagnoses and treatment options as is developmentally appropriate.

22. To be free of unnecessary or excessive medication.

23. To receive emotional, mental health or chemical dependency treatment separately from adults who are receiving services, as planned and discussed with the child's placement worker and caseworker, as is financially reasonable for the foster parent.

Ch. 181 { 24. To report a violation of personal rights specified in this section without fear of ~~punishment,~~ interference, coercion, INTIMIDATION or retaliation. ~~, except that an appropriate level of punishment may be applied if the child is proven to have maliciously or wrongfully accused the foster parent.~~ A FOSTER PARENT, A KINSHIP CAREGIVER, A FOSTER HOME, A GROUP FOSTER HOME, A GROUP HOME OR AN EMPLOYEE, CONTRACTOR OR AGENT OF A HOME OR FACILITY WHERE A CHILD WHO IS IN THE CARE OF THE DEPARTMENT IS PLACED MAY NOT TAKE, THREATEN OR CAUSE RETALIATORY ACTION AGAINST A CHILD BECAUSE THAT CHILD REPORTS A SUSPECTED VIOLATION OF PERSONAL RIGHTS PURSUANT TO THIS PARAGRAPH OR PARTICIPATED IN AN INQUIRY OR INVESTIGATION OF A VIOLATION OF PERSONAL RIGHTS AND THE CHILD MADE THE REPORT OF A VIOLATION OF PERSONAL RIGHTS OR PARTICIPATED IN AN INQUIRY OR INVESTIGATION OF A VIOLATION OF PERSONAL RIGHTS IN GOOD FAITH OR WITH A REASONABLE BELIEF THAT THE REPORT OF A VIOLATION OF PERSONAL RIGHTS WAS TRUE. FOR THE PURPOSES OF THIS PARAGRAPH, "RETALIATORY ACTION":

(a) MEANS AN ACTION OR OMISSION THAT WOULD DETER A REASONABLE CHILD OF SIMILAR AGE AND CIRCUMSTANCES FROM MAKING A REPORT OF A VIOLATION OF PERSONAL RIGHTS PURSUANT TO THIS PARAGRAPH AND THAT MATERIALLY ADVERSELY AFFECTS ANY OF THE FOLLOWING FOR A CHILD:

- (i) PLACEMENT.
- (ii) SERVICES.
- (iii) EDUCATION.
- (iv) MEDICAL OR BEHAVIORAL HEALTH CARE.
- (v) PRIVILEGES.
- (vi) VISITATION OR CONTACT.
- (vii) ANY OTHER CONDITIONS OF PLACEMENT.

(b) INCLUDES:

(i) INITIATING, REQUESTING, RECOMMENDING OR CAUSING A DISRUPTION IN PLACEMENT, TRANSFER OR CHANGE IN LEVEL OF CARE OR SUPERVISION, INCLUDING A REFERRAL TO A HIGHER LEVEL OF CARE, WITHOUT DOCUMENTED, NONRETALIATORY JUSTIFICATION.

(ii) DENYING, RESTRICTING, DELAYING OR CONDITIONING PRIVILEGES, NORMAL ACTIVITIES, VISITATION OR CONTACT, RECREATION, PARTICIPATION IN EDUCATION, SERVICES OR OPPORTUNITIES TO WHICH THE CHILD IS OTHERWISE ENTITLED.

(iii) IMPOSING DISCIPLINARY OR CORRECTIVE ACTION OR MORE RESTRICTIVE CONDITIONS NOT BASED ON CONTEMPORANEOUS DOCUMENTED CONDUCT THAT IS NOT RELATED TO A REPORT OF A VIOLATION OF A CHILD'S PERSONAL RIGHTS.

(iv) KNOWINGLY MAKING, CAUSING OR ENCOURAGING ANOTHER PERSON TO MAKE A FALSE, FRAUDULENT OR MATERIALLY MISLEADING STATEMENT, INCIDENT REPORT, ALLEGATION OR RECORD ABOUT THE CHILD TO RELEVANT AUTHORITIES.

(v) ALTERING, DESTROYING OR CONCEALING RECORDS OR EVIDENCE THAT IS RELATED TO A REPORT OF A VIOLATION OF A CHILD'S PERSONAL RIGHTS.

25. To be informed in writing of the name, address, telephone number and purpose of the Arizona protection and advocacy system for disability assistance.

26. TO VOLUNTARILY PARTICIPATE IN ENRICHMENT ACTIVITIES.

27. TO BE FREE OF BULLYING OR DISCRIMINATION.

28. TO BE UPDATED AT LEAST EVERY THIRTY DAYS AS TO THE STATUS OF THE DEPARTMENT'S EFFORTS TO PLACE THE CHILD IN KINSHIP FOSTER CARE OR IN A CARE SETTING WITH THE CHILD'S SIBLINGS.

~~26.~~ 29. To understand and have a copy of the rights listed in this section.

B. A child WHO IS in foster care or kinship foster care AND who is at least fourteen years of age has the following rights:

1. To attend preparation for adult living classes and activities as appropriate to the child's case plan, as is financially reasonable for the foster parent.

2. To a transition plan that includes career planning and assistance with enrolling in an educational or vocational job training program.

3. To be informed of educational opportunities, including information regarding assistance and funding for postsecondary and vocational education.

4. To assistance in obtaining an independent residency when the child is too old to remain in foster care from the child's caseworker, attorney or advocate.

Chs. 76
and 181

5. To request a court hearing for a court to determine ~~if~~ **WHETHER** the child has the capacity to consent to medical care that is directly related to an illness, disease, deformity or other physical malady.

6. To receive help with obtaining a driver license, social security number, birth certificate or state identification card and credit reports with assistance in interpreting the reports and resolving inaccuracies in the report. The foster parent shall have discretion to determine ~~if~~ **WHETHER** the child is responsible and mature enough to become a licensed driver.

7. To receive necessary personal information within thirty days after leaving foster care, including the child's birth certificate, immunization records and information contained in the child's education portfolio and health passport.

8. To participate in or reenter extended foster care when the child is at least eighteen and under twenty-one years of age pursuant to section 8-521.02.

C. The department shall provide information regarding a child's rights pursuant to this section and assistance in understanding and enforcing these rights to each child who enters foster care or kinship foster care or when there is a change in the child's foster care plan. The information shall also include the telephone number and email address of the department, the child's assigned case manager, the department's office of the ombudsman and the ombudsman-citizens aide. A copy of these rights shall be posted in a conspicuous place in all foster ~~care~~ **HOMES** and group **FOSTER** homes.

Chs. 76
and 181

D. If a child who is in foster care or kinship foster care believes that the child's rights under this section have been violated, the child or the child's representative may:

1. File a complaint with the department, the department's office of the ombudsman or the ombudsman-citizens aide pursuant to section 41-1376. A formal grievance may be initiated with the ombudsman at any time.

2. Notify the juvenile court in the child's ongoing dependency, severance or adoption proceeding, either orally or in writing, that the child's rights are being violated and request appropriate equitable relief. The court shall act on the notification as necessary within ~~its~~ **THE COURT'S** discretion to promote the best interest of the child.

Chs. 76
and 181

E. The rights provided in this section do not establish an independent cause of action.

EXPLANATION OF BLEND
SECTION 9-463.05

Laws 2026, Chapters 121 and 123

Laws 2026, Ch. 121, section 1

Effective September 12, 2026

Laws 2026, Ch. 123, section 1

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 121 and Ch. 123 text changes to section 9-463.05 are blended in the form shown on the following pages.

BLEND OF SECTION 9-463.05
Laws 2026, Chapters 121 and 123

9-463.05. Development fees; imposition by cities and towns; infrastructure improvements plan; annual report; advisory committee; limitation on actions; definitions

A. A municipality may assess development fees to offset costs to the municipality associated with providing necessary public services to a development, including the costs of infrastructure, improvements, real property, engineering and architectural services, financing and professional services required for the preparation or revision of a development fee pursuant to this section, including the relevant portion of the infrastructure improvements plan.

B. Development fees assessed by a municipality under this section are subject to the following requirements:

1. Development fees shall result in a beneficial use to the development.

2. The municipality shall calculate the development fee based on the infrastructure improvements plan adopted pursuant to this section.

3. The development fee shall not exceed a proportionate share of the cost of necessary public services, based on service units, needed to provide necessary public services to the development.

4. Costs for necessary public services made necessary by new development shall be based on the same level of service provided to existing development in the service area.

5. Development fees may not be used for any of the following:

(a) Construction, acquisition or expansion of public facilities or assets other than necessary public services or facility expansions identified in the infrastructure improvements plan.

(b) Repair, operation or maintenance of existing or new necessary public services or facility expansions.

(c) Upgrading, updating, expanding, correcting or replacing existing necessary public services to serve existing development in order to meet stricter safety, efficiency, environmental or regulatory standards.

(d) Upgrading, updating, expanding, correcting or replacing existing necessary public services to provide a higher level of service to existing development.

(e) Administrative, maintenance or operating costs of the municipality.

6. Any development for which a development fee has been paid is entitled to the use and benefit of the services for which the fee was imposed and is entitled to receive immediate service from any existing facility with available capacity to serve the new service units if the available capacity has not been reserved or pledged in connection with the construction or financing of the facility.

7. Development fees may be collected if any of the following occurs:

Chs. 121
and 123

- ~~improvement~~ IMPROVEMENTS plan, but in no event longer than the time period provided in subsection ~~H~~ I, paragraph 3 of this section.

Ch. 121

(b) The municipality reserves in the infrastructure improvements plan adopted pursuant to this section or otherwise agrees to reserve capacity to serve future development.

Chs. 121
and 123

- (c) The municipality requires or agrees to allow the owner of a development to construct or finance the necessary public service or facility expansion and any of the following ~~apply~~ APPLIES:

(i) The costs incurred or money advanced are credited against or reimbursed from the development fees otherwise due from a development.

(ii) The municipality reimburses the owner for those costs from the development fees paid from all developments that will use those necessary public services or facility expansions.

(iii) For those costs incurred the municipality allows the owner to assign the credits or reimbursement rights from the development fees otherwise due from a development to other developments for the same category of necessary public services in the same service area.

8. Projected interest charges and other finance costs may be included in determining the amount of development fees only if the monies are used for the payment of principal and interest on the portion of the bonds, notes or other obligations issued to finance construction of necessary public services or facility expansions identified in the infrastructure improvements plan.

9. Monies received from development fees assessed pursuant to this section shall be placed in a separate fund and accounted for separately and may only be used for the purposes authorized by this section. Monies received from a development fee identified in an infrastructure improvements plan adopted or updated pursuant to subsection D of this section shall be used to provide the same category of necessary public services or facility expansions for which the development fee was assessed and for the benefit of the same service area, as defined in the infrastructure improvements plan, in which the development fee was assessed. Interest earned on monies in the separate fund shall be credited to the fund.

10. The schedule for payment of fees shall be provided by the municipality. Based on the cost identified in the infrastructure improvements plan, the municipality shall provide a credit toward the payment of a development fee for the required or agreed to dedication of public sites, improvements and other necessary public services or facility expansions included in the infrastructure improvements plan and for which a development fee is assessed, to the extent the public sites, improvements and necessary public services or facility expansions are provided by the developer, A COMMUNITY FACILITIES DISTRICT ESTABLISHED UNDER TITLE 48, CHAPTER 4, ARTICLE 6 OR A STATE AFFORDABILITY INFRASTRUCTURE DISTRICT ESTABLISHED UNDER TITLE 48, CHAPTER 40. The developer of residential dwelling units shall be required to pay development fees when construction

Ch. 123

permits for the dwelling units are issued, or at a later time if specified in a development agreement pursuant to section 9-500.05. If a development agreement provides for fees to be paid at a time later than the issuance of construction permits, the deferred fees shall be paid ~~no~~ NOT later than fifteen days after the issuance of a certificate of occupancy. The development agreement shall provide for the value of any deferred fees to be supported by appropriate security, including a surety bond, letter of credit or cash bond.

Ch. 123

11. If a municipality requires as a condition of development approval the construction or improvement of, contributions to or dedication of any facilities that were not included in a previously adopted infrastructure improvements plan, the municipality shall cause the infrastructure improvements plan to be amended to include the facilities and shall provide a credit toward the payment of a development fee for the construction, improvement, contribution or dedication of the facilities to the extent that the facilities will substitute for or otherwise reduce the need for other similar facilities in the infrastructure improvements plan for which development fees were assessed.

Ch. 121

12. The municipality shall forecast the contribution to be made in the future in cash or by taxes, fees, assessments or other sources of revenue derived from the property owner towards the capital costs of the necessary public service covered by the development fee and shall include these contributions in determining the extent of the burden imposed by the development. ~~Beginning August 1, 2014,~~ For purposes of calculating the required offset to development fees pursuant to this subsection, if a municipality imposes a construction contracting or similar excise tax rate in excess of the percentage amount of the transaction privilege tax rate imposed on the majority of other transaction privilege tax classifications, the entire excess portion of the construction contracting or similar excise tax shall be treated as a contribution to the capital costs of necessary public services provided to development for which development fees are assessed, unless the excess portion was already taken into account for such purpose pursuant to this subsection.

Ch. 121

13. If development fees are assessed by a municipality, the fees shall be assessed against commercial, residential and industrial development. ~~, except that~~ The municipality may distinguish between different categories of residential, commercial and industrial development in assessing the costs to the municipality of providing necessary public services to new development and in determining the amount of the development fee applicable to the category of development, EXCEPT THAT THE MUNICIPALITY MAY NOT DISTINGUISH BETWEEN SINGLE-FAMILY RESIDENTIAL DEVELOPMENTS ON THE BASIS OF THE SIZE OF THE RESIDENTIAL DWELLING UNIT OR NUMBER OF BEDROOMS UNLESS THE MUNICIPALITY ADOPTED SUCH DEVELOPMENT FEES BEFORE SEPTEMBER 12, 2026. IF A MUNICIPALITY ADOPTED DEVELOPMENT FEES THAT ARE BASED ON THE SIZE OF THE RESIDENTIAL DWELLING UNIT OR THE NUMBER OF BEDROOMS BEFORE SEPTEMBER 12, 2026, THE MUNICIPALITY MAY CONTINUE TO MAKE THIS DISTINCTION IN SUBSEQUENT UPDATES TO THE DEVELOPMENT FEES THAT ARE ASSESSED BY THE MUNICIPALITY. If a municipality agrees to waive any of the development fees assessed on a development, the municipality shall reimburse the appropriate development fee accounts for the amount that was waived. The municipality

shall provide notice of any such waiver to the advisory committee established pursuant to subsection ~~H~~ H of this section within thirty days.

Ch. 121 — 14. In determining and assessing a development fee applying to land in a community facilities district established under title 48, chapter 4, article 6 OR A STATE AFFORDABILITY INFRASTRUCTURE DISTRICT ESTABLISHED UNDER TITLE 48, CHAPTER 40, the municipality shall take into account all public infrastructure provided by the district and capital costs paid by the district for necessary public services and shall not assess a portion of the development fee based on the infrastructure or costs.

Ch. 123 — C. A municipality shall give at least thirty days' advance notice of intention to assess a development fee and shall release to the public and post on its website or the website of an association of cities and towns if a municipality does not have a website a written report of the land use assumptions and infrastructure improvements plan adopted pursuant to subsection D of this section. The municipality shall conduct a public hearing on the proposed development fee at any time after the expiration of the ~~thirty day~~ THIRTY-DAY notice of intention to assess a development fee and at least thirty days before the scheduled date of adoption of the fee by the governing body. Within sixty days after the date of the public hearing on the proposed development fee, a municipality shall approve or disapprove the imposition of the development fee. A municipality shall not adopt an ordinance, order or resolution approving a development fee as an emergency measure. A development fee assessed pursuant to this section shall not be effective until seventy-five days after its formal adoption by the governing body of the municipality. Nothing in this subsection shall affect any development fee adopted before July 24, 1982.

D. Before the adoption or amendment of a development fee, the governing body of the municipality shall adopt or update the land use assumptions and infrastructure improvements plan for the designated service area. The municipality shall conduct a public hearing on the land use assumptions and infrastructure improvements plan at least thirty days before the adoption or update of the plan. The municipality shall release the plan to the public, post the plan on its website or the website of an association of cities and towns if the municipality does not have a website, including in the posting its land use assumptions, the time period of the projections, a description of the necessary public services included in the infrastructure improvements plan and a map of the service area to which the land use assumptions apply, make available to the public the documents used to prepare the assumptions and plan and provide public notice at least sixty days before the public hearing, subject to the following:

1. The land use assumptions and infrastructure improvements plan shall be approved or disapproved within sixty days after the public hearing on the land use assumptions and infrastructure improvements plan and at least thirty days before the public hearing on the report required by subsection C of this section. A municipality shall not adopt an ordinance, order or resolution approving the land use assumptions or infrastructure improvements plan as an emergency measure.

2. An infrastructure improvements plan shall be developed by qualified professionals using generally accepted engineering and planning practices pursuant to subsection E of this section.

Ch. 123 — 3. A municipality shall update the land use assumptions and infrastructure improvements plan at least every five years. The initial ~~five year~~ FIVE-YEAR period begins on the day the infrastructure improvements plan is adopted. The municipality shall review and evaluate its current land use assumptions and shall cause an update of the infrastructure improvements plan to be prepared pursuant to this section.

4. Within sixty days after completion of the updated land use assumptions and infrastructure improvements plan, the municipality shall schedule and provide notice of a public hearing to discuss and review the update and shall determine whether to amend the assumptions and plan.

5. A municipality shall hold a public hearing to discuss the proposed amendments to the land use assumptions, the infrastructure improvements plan or the development fee. The land use assumptions and the infrastructure improvements plan, including the amount of any proposed changes to the development fee per service unit, shall be made available to the public on or before the date of the first publication of the notice of the hearing on the amendments.

6. The notice and hearing procedures prescribed in paragraph 1 of this subsection apply to a hearing on the amendment of land use assumptions, an infrastructure improvements plan or a development fee. Within sixty days after the date of the public hearing on the amendments, a municipality shall approve or disapprove the amendments to the land use assumptions, infrastructure improvements plan or development fee. A municipality shall not adopt an ordinance, order or resolution approving the amended land use assumptions, infrastructure improvements plan or development fee as an emergency measure.

Ch. 121 — 7. The advisory committee established under subsection ~~G~~ H of this section shall file its written comments on any proposed or updated land use assumptions, infrastructure improvements plan and development fees before the fifth business day before the date of the public hearing on the proposed or updated assumptions, plan and fees.

8. If, at the time an update as prescribed in paragraph 3 of this subsection is required, the municipality determines that no changes to the land use assumptions, infrastructure improvements plan or development fees are needed, the municipality may as an alternative to the updating requirements of this subsection publish notice of its determination on its website and include the following:

(a) A statement that the municipality has determined that no change to the land use assumptions, infrastructure improvements plan or development fee is necessary.

(b) A description and map of the service area in which an update has been determined to be unnecessary.

(c) A statement that by a specified date, which shall be at least sixty days after the date of publication of the first notice, a person may make a written request to the municipality requesting that the land use assumptions, infrastructure improvements plan or development fee be updated.

(d) A statement identifying the person or entity to whom the written request for an update should be sent.

9. If, by the date specified pursuant to paragraph 8 of this subsection, a person requests in writing that the land use assumptions, infrastructure improvements plan or development fee be updated, the municipality shall cause, accept or reject an update of the assumptions and plan to be prepared pursuant to this subsection.

Chs. 121 and 123 — 10. Notwithstanding the notice and hearing requirements for adoption of an infrastructure improvements plan, a municipality may amend an infrastructure improvements plan adopted pursuant to this section without a public hearing if the amendment addresses only elements of necessary public services in the existing infrastructure improvements plan and the changes to the plan will not, individually or cumulatively with other amendments adopted pursuant to this subsection, increase the level of service in the service area or cause a development fee increase of greater than five ~~per~~ ~~cent~~ PERCENT when a new or modified development fee is assessed pursuant to this section. The municipality shall provide notice of any such amendment at least thirty days before adoption, shall post the amendment on its website or on the website of an association of cities and towns if the municipality does not have a website and shall provide notice to the advisory committee established pursuant to subsection ~~G~~ H of this section that the amendment complies with this subsection.

E. For each necessary public service that is the subject of a development fee, the infrastructure improvements plan shall include:

1. A description of the existing necessary public services in the service area and the costs to upgrade, update, improve, expand, correct or replace those necessary public services to meet existing needs and usage and stricter safety, efficiency, environmental or regulatory standards, which shall be prepared by qualified professionals licensed in this state, as applicable.

2. An analysis of the total capacity, the level of current usage and commitments for usage of capacity of the existing necessary public services, which shall be prepared by qualified professionals licensed in this state, as applicable.

3. A description of all or the parts of the necessary public services or facility expansions and their costs necessitated by and attributable to development in the service area based on the approved land use assumptions, including a forecast of the costs of infrastructure, improvements, real property, financing, engineering and architectural services, which shall be prepared by qualified professionals licensed in this state, as applicable.

4. A table establishing the specific level or quantity of use, consumption, generation or discharge of a service unit for each category of necessary public services or facility expansions and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial and industrial.

5. The total number of projected service units necessitated by and attributable to new development in the service area based on the approved land use assumptions and calculated pursuant to generally accepted engineering and planning criteria.

6. The projected demand for necessary public services or facility expansions required by new service units for a period not to exceed ten years.

Chs. 121
and 123

7. A forecast of revenues generated by new service units other than development fees, which shall include estimated state-shared revenue, highway ~~users~~ **USER** revenue, federal revenue, ad valorem property taxes, construction contracting or similar excise taxes and the capital recovery portion of utility fees attributable to development based on the approved land use assumptions, and a plan to include these contributions in determining the extent of the burden imposed by the development as required in subsection B, paragraph 12 of this section.

Ch. 121

F. A municipality's development fee ordinance shall provide that a new development fee or an increased portion of a modified development fee ~~shall not be assessed against a development for twenty-four months after the date that the municipality issues the final approval for a commercial, industrial or multifamily development or the date that the first building permit is issued for a residential development pursuant to an approved site plan or subdivision plat, provided that no subsequent changes are made to the approved site plan or subdivision plat that would increase the number of service units.~~ **A RESIDENTIAL, COMMERCIAL, INDUSTRIAL OR MULTIFAMILY DEVELOPMENT FOR TWENTY-FOUR MONTHS AFTER THE EFFECTIVE DATE OF THE DEVELOPMENT FEE ORDINANCE THAT IMPOSES A NEW OR INCREASED DEVELOPMENT FEE IF NO SUBSEQUENT CHANGES ARE MADE TO THE APPROVED SITE PLAN OR FINAL SUBDIVISION PLAT THAT INCREASE THE NUMBER OF SERVICE UNITS.** If the number of service units increases, the new or increased portion of a modified development fee shall be limited to the amount attributable to the additional service units. The twenty-four month period shall not be extended by a renewal or amendment of the site plan or the final subdivision plat that was the subject of the final approval.

[G.] The municipality shall issue, on request, a written statement of the development fee schedule applicable to the development. If, after the date of the municipality's final approval of a development, the municipality reduces the development fee assessed on development, the reduced fee shall apply to the development.

~~G.~~ H. A municipality shall do one of the following:

1. Before the adoption of proposed or updated land use assumptions, infrastructure improvements plan and development fees as prescribed in subsection D of this section, the municipality shall appoint an infrastructure improvements advisory committee, subject to the following requirements:

Chs. 121
and 123

(a) The advisory committee shall be composed of at least five members who are appointed by the governing body of the municipality. At least fifty ~~per cent~~ **PERCENT** of the members of the advisory committee must be representatives of the real estate, development or building industries, of which at least one member of the committee must be from the home building industry. Members shall not be employees or officials of the municipality.

(b) The advisory committee shall serve in an advisory capacity and shall:

(i) Advise the municipality in adopting land use assumptions and in determining whether the assumptions are in conformance with the general plan of the municipality.

(ii) Review the infrastructure improvements plan and file written comments.

(iii) Monitor and evaluate implementation of the infrastructure improvements plan.

(iv) Every year file reports with respect to the progress of the infrastructure improvements plan and the collection and expenditures of development fees and report to the municipality any perceived inequities in implementing the plan or imposing the development fee.

(v) Advise the municipality of the need to update or revise the land use assumptions, infrastructure improvements plan and development fee.

(c) The municipality shall make available to the advisory committee any professional reports with respect to developing and implementing the infrastructure improvements plan.

(d) The municipality shall adopt procedural rules for the advisory committee to follow in carrying out the committee's duties.

2. In lieu of creating an advisory committee pursuant to paragraph 1 of this subsection, provide for a biennial certified audit of the municipality's land use assumptions, infrastructure improvements plan and development fees. An audit pursuant to this paragraph shall be conducted by one or more qualified professionals who are not employees or officials of the municipality and who did not prepare the infrastructure improvements plan. The audit shall review the progress of the infrastructure improvements plan, including the collection and expenditures of development fees for each project in the plan, and evaluate any inequities in implementing the plan or imposing the development fee. The municipality shall post the findings of the audit on the municipality's website or the website of an association of cities and towns if the municipality does not have a website and shall conduct a public hearing on the audit within sixty days of the release of the audit to the public.

~~†~~ **I.** On written request, an owner of real property for which a development fee has been paid after July 31, 2014 is entitled to a refund of a development fee or any part of a development fee if:

1. Pursuant to subsection B, paragraph 6 of this section, existing facilities are available and service is not provided.

2. The municipality has, after collecting the fee to construct a facility when service is not available, failed to complete construction within the time period identified in the infrastructure improvements plan, but in no event later than the time period specified in paragraph 3 of this subsection.

3. For a development fee other than a development fee for water or wastewater facilities, any part of the development fee is not spent as authorized by this section within ten years after the fee has been paid or, for a development fee for water or wastewater facilities, any part of the development fee is not spent as authorized by this section within fifteen years after the fee has been paid.

~~†~~ **J.** If the development fee was collected for the construction of all or a portion of a specific item of infrastructure, and on completion of the infrastructure the municipality determines that the actual cost of construction was less than the forecasted cost of construction on which the development fee was based and the difference between the actual and estimated cost is greater than ten ~~per cent~~ **PERCENT**, the current owner may receive a refund of the portion of the development fee equal to the difference between

the development fee paid and the development fee that would have been due if the development fee had been calculated at the actual construction cost.

~~J.~~ K. A refund shall include any interest earned by the municipality from the date of collection to the date of refund on the amount of the refunded fee. All refunds shall be made to the record owner of the property at the time the refund is paid. If the development fee is paid by a governmental entity, the refund shall be paid to the governmental entity.

~~K.~~ L. A development fee that was adopted before January 1, 2012 may continue to be assessed only to the extent that it will be used to provide a necessary public service for which development fees can be assessed pursuant to this section and shall be replaced by a development fee imposed under this section on or before August 1, 2014. Any municipality having a development fee that has not been replaced under this section on or before August 1, 2014 shall not collect development fees until the development fee has been replaced with a fee that complies with this section. Any development fee monies collected before January 1, 2012 remaining in a development fee account:

1. Shall be used towards the same category of necessary public services as authorized by this section.

2. If development fees were collected for a purpose not authorized by this section, shall be used for the purpose for which they were collected on or before January 1, 2020, and after which, if not spent, shall be distributed equally among the categories of necessary public services authorized by this section.

~~L.~~ M. A moratorium shall not be placed on development for the sole purpose of awaiting completion of all or any part of the process necessary to develop, adopt or update development fees.

~~M.~~ N. In any judicial action interpreting this section, all powers conferred on municipal governments in this section shall be narrowly construed to ensure that development fees are not used to impose on new residents a burden all taxpayers of a municipality should bear equally.

~~N.~~ O. Each municipality that assesses development fees shall submit an annual report accounting for the collection and use of the fees for each service area. The annual report shall include the following:

1. The amount assessed by the municipality for each type of development fee.

2. The balance of each fund maintained for each type of development fee assessed as of the beginning and end of the fiscal year.

3. The amount of interest or other earnings on the monies in each fund as of the end of the fiscal year.

4. The amount of development fee monies used to repay:

- (a) Bonds issued by the municipality to pay the cost of a capital improvement project that is the subject of a development fee assessment, including the amount needed to repay the debt service obligations on each facility for which development fees have been identified as the source of funding and the time frames in which the debt service will be repaid.

- (b) Monies advanced by the municipality from funds other than the funds established for development fees in order to pay the cost of a capital improvement project that is the subject of a development fee assessment, the total amount advanced by the municipality for each facility, the source

of the monies advanced and the terms under which the monies will be repaid to the municipality.

5. The amount of development fee monies spent on each capital improvement project that is the subject of a development fee assessment and the physical location of each capital improvement project.

6. The amount of development fee monies spent for each purpose other than a capital improvement project that is the subject of a development fee assessment.

~~P.~~ P. Within ninety days following the end of each fiscal year, each municipality shall submit a copy of the annual report to the city clerk and post the report on the municipality's website or the website of an association of cities and towns if the municipality does not have a website. Copies shall be made available to the public on request. The annual report may contain financial information that has not been audited.

~~Q.~~ Q. A municipality that fails to file the report and post the report on the municipality's website or the website of an association of cities and towns if the municipality does not have a website as required by this section shall not collect development fees until the report is filed and posted.

~~R.~~ R. Any action to collect a development fee shall be commenced within two years after the obligation to pay the fee accrues.

~~S.~~ S. A municipality may continue to assess a development fee adopted before January 1, 2012 for any facility that was financed before June 1, 2011 if:

1. Development fees were pledged to repay debt service obligations related to the construction of the facility.

2. After August 1, 2014, any development fees collected under this subsection are used solely for the payment of principal and interest on the portion of the bonds, notes or other debt service obligations issued before June 1, 2011 to finance construction of the facility.

~~T.~~ T. Through August 1, 2014, a development fee adopted before January 1, 2012 may be used to finance construction of a facility and may be pledged to repay debt service obligations if:

Ch. 121 — 1. The facility that is being financed is a facility that is described under subsection ~~V~~ V, paragraph 7, subdivisions (a) through ~~(g)~~ (e) of this section.

2. The facility was included in an infrastructure improvements plan adopted before June 1, 2011.

3. The development fees are used for the payment of principal and interest on the portion of the bonds, notes or other debt service obligations issued to finance construction of the necessary public services or facility expansions identified in the infrastructure ~~improvement~~ IMPROVEMENTS plan.

Chs. 121
and 123

U. A MUNICIPALITY MAY ASSESS DEVELOPMENT FEES ON THE DEVELOPMENT OF ACCESSORY DWELLING UNITS, AS FOLLOWS:

Ch. 121

1. FOR WATER AND WASTEWATER, THE WATER AND WASTEWATER DEVELOPMENT FEES ASSESSED FOR SUCH ACCESSORY DWELLING UNIT SHALL NOT EXCEED THE INCREMENTAL INCREASE IN DEMAND CAUSED BY THE DEVELOPMENT OF EACH ACCESSORY DWELLING UNIT WHETHER SERVED BY THE SAME WATER METER AS THE PRIMARY DWELLING OR BY A SEPARATE WATER METER.

2. FOR DEVELOPMENT FEES ASSESSED ON THE DEVELOPMENT OF AN ACCESSORY DWELLING UNIT FOR ALL NECESSARY PUBLIC SERVICES OTHER THAN WATER AND WASTEWATER, THE DEVELOPMENT FEES ASSESSED FOR SUCH ACCESSORY DWELLING UNIT SHALL NOT EXCEED THE LESSER OF TWENTY-FIVE PERCENT OF THE TOTAL DEVELOPMENT FEES OR THE PROPORTIONATE SHARE FOR THOSE SAME NECESSARY PUBLIC SERVICES APPLICABLE TO A SINGLE-FAMILY HOME.

~~F.~~ V. For the purposes of this section:

1. "Dedication" means the actual conveyance date or the date an improvement, facility or real or personal property is placed into service, whichever occurs first.

2. "Development" means:

(a) The subdivision of land.

(b) The construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure that adds or increases the number of service units.

(c) Any use or extension of the use of land that increases the number of service units.

3. "Facility expansion" means the expansion of the capacity of an existing facility that serves the same function as an otherwise new necessary public service in order that the existing facility may serve new development. Facility expansion does not include the repair, maintenance, modernization or expansion of an existing facility to better serve existing development.

4. "Final approval" means:

(a) For a nonresidential or multifamily development, the approval of a site plan or, if no site plan is submitted for the development, the approval of a final subdivision plat.

(b) For a single family residential development, the approval of a final subdivision plat.

5. "Infrastructure improvements plan" means a written plan that identifies each necessary public service or facility expansion that is proposed to be the subject of a development fee and otherwise complies with the requirements of this section, and may be the municipality's capital improvements plan.

6. "Land use assumptions" means projections of changes in land uses, densities, intensities and population for a specified service area over a period of at least ten years and pursuant to the general plan of the municipality.

7. "Necessary public service" means any of the following facilities that have a life expectancy of three or more years and that are owned and operated by or on behalf of the municipality:

(a) Water facilities, including the supply, transportation, treatment, purification and distribution of water, and any appurtenances for those facilities.

(b) Wastewater facilities, including collection, interception, transportation, treatment and disposal of wastewater, and any appurtenances for those facilities.

Ch. 121 — (c) ~~Storm water~~ STORMWATER, drainage and flood control facilities, including any appurtenances for those facilities.

(d) Library facilities of up to ten thousand square feet that provide a direct benefit to development, not including equipment, vehicles or appurtenances.

(e) Street facilities located in the service area, including arterial or collector streets or roads that have been designated on an officially adopted plan of the municipality, traffic signals and rights-of-way and improvements thereon.

(f) Fire and police facilities, including all appurtenances, equipment and vehicles. Fire and police facilities do not include a facility or portion of a facility that is used to replace services that were once provided elsewhere in the municipality, vehicles and equipment used to provide administrative services, helicopters or airplanes or a facility that is used for training firefighters or officers from more than one station or substation.

(g) Neighborhood parks and recreational facilities on real property up to thirty acres in area, or parks and recreational facilities larger than thirty acres if the facilities provide a direct benefit to the development. Park and recreational facilities do not include vehicles, equipment or that portion of any facility that is used for amusement parks, aquariums, aquatic centers, auditoriums, arenas, arts and cultural facilities, bandstand and orchestra facilities, bathhouses, boathouses, clubhouses, community centers greater than three thousand square feet in floor area, environmental education centers, equestrian facilities, golf course facilities, greenhouses, lakes, museums, theme parks, water reclamation or riparian areas, wetlands, zoo facilities or similar recreational facilities, but may include swimming pools.

(h) Any facility that was financed and that meets all of the requirements prescribed in subsection ~~R~~ S of this section.

8. "Qualified professional" means a professional engineer, surveyor, financial analyst or planner providing services within the scope of the person's license, education or experience.

9. "Service area"[:]

(a) Means any specified area within the boundaries of a municipality in which development will be served by necessary public services or facility expansions and within which a substantial nexus exists between the necessary public services or facility expansions and the development being served as prescribed in the infrastructure improvements plan.

(b) INCLUDES THE SERVICE TERRITORY OF WATER OR WASTEWATER FACILITIES, WHETHER INSIDE OR OUTSIDE OF THE BOUNDARIES OF THE MUNICIPALITY, IF THE MUNICIPALITY PROVIDES WATER AND WASTEWATER SERVICES.

10. "Service unit" means a standardized measure of consumption, use, generation or discharge attributable to an individual unit of development calculated pursuant to generally accepted engineering or planning standards for a particular category of necessary public services or facility expansions.

Ch. 121

EXPLANATION OF BLEND
SECTION 11-441

Laws 2026, Chapters 53 and 211

Laws 2026, Ch. 53, section 2

Effective September 12, 2026

Laws 2026, Ch. 211, section 1

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 53 and Ch. 211 text changes to section 11-441 are blended in the form shown on the following pages.

BLEND OF SECTION 11-441
Laws 2026, Chapters 53 and 211

11-441. Powers and duties

A. The sheriff shall:

1. Preserve the peace.
2. Arrest and take before the nearest magistrate for examination all persons who attempt to commit or who have committed a public offense.
3. Prevent and suppress all affrays, breaches of the peace, riots and insurrections that may come to the knowledge of the sheriff.
4. Attend all courts, except justice and municipal courts, when an element of danger is anticipated and attendance is requested by the presiding judge and obey lawful orders and directions issued by the judge.
5. Take charge of and keep the county jail, including a county jail under the jurisdiction of a county jail district, and the prisoners in the county jail.
6. Endorse on all process and notices the year, month, day, hour and minute of reception and issue to the person delivering the process or notice, on payment of fees, a certificate showing the names of the parties, the title of the paper and the time of reception.
7. Serve process and notices in the manner prescribed by law and certify under the sheriff's hand on the process or notices the manner and time of service, or if the sheriff fails to make service, the reasons for failure, and return them without delay. When returnable to another county, the sheriff may enclose such process or notices in an envelope, addressed to the officer from whom received, and deposit the envelope postage prepaid in the post office. The return of the sheriff is prima facie evidence of the facts stated in the return.
8. Secure, as soon as possible, the home of a deceased person located outside the boundaries of an incorporated city or town if the sheriff is unable to determine or locate the heirs or executor of the deceased person.

B. The sheriff, in executing the duties prescribed in subsection A, paragraphs 1 through 4 of this section, may command the aid of as many inhabitants of the county as the sheriff deems necessary.

C. The sheriff shall conduct or coordinate within the county search or rescue operations involving the life or health of any person or may assist in such operations in another county at the request of that county's sheriff. The sheriff may request assistance from any persons or agencies in fulfilling duties under this subsection. A search and rescue unit established or recognized by a county may possess human remains as defined in section 36-301 for the purpose of training canines used for search and rescue work. The sheriff or the sheriff's designee shall keep an inventory of all human remains that are kept for the purpose of training search and rescue canines. The inventory must be updated when the search and rescue unit receives human remains or disposes of human remains that are no longer

useful to the search and rescue unit. Each search and rescue unit that possesses human remains for the purpose of training search and rescue canines shall establish policies and standard operating procedures for access to, the inventory of and the possession and disposal of human remains kept for the purpose of training search and rescue canines.

Ch. 211

D. The sheriff, in executing the duties prescribed in this section, INCLUDING THE DUTIES PRESCRIBED IN SUBSECTION A OF THIS SECTION, may request AND USE the aid of volunteer posse and reserve organizations located in the county. WHEN ACTIVATED BY THE SHERIFF, THE SHERIFF HAS EXCLUSIVE AUTHORITY TO REGULATE THE ORGANIZATION AND EQUIPMENT THAT IS USED BY A POSSE OR RESERVE ORGANIZATION OR MEMBERS OF A POSSE OR RESERVE ORGANIZATION THAT ARE ACTING WITHIN THE SHERIFF'S AUTHORITY AND WRITTEN POLICY IN SUPPORT OF THE SHERIFF'S OFFICE, CONSISTENT WITH LAW.

E. The sheriff may assist in executing the duties prescribed in this section in another county at the request of that county's sheriff.

F. The sheriff may require any prisoner who is on work release to reimburse the county for reasonable expenses incurred in connection with the release.

G. The board of supervisors of a county bordering Mexico may adopt an ordinance pursuant to chapter 2 of this title allowing the sheriff to prevent the entry from this state into Mexico at the border by any resident of this state who is under eighteen years of age if the minor is unaccompanied by a parent or guardian or does not have written consent for entry from the minor's parent or guardian. The authority of the sheriff is only to prevent entry and not to otherwise detain the minor. This subsection does not limit the authority of the sheriff pursuant to any other law. A county is not civilly or criminally liable for not adopting an ordinance pursuant to this subsection.

H. Notwithstanding section 13-3112, the sheriff may authorize members of the sheriff's volunteer posse who have received and passed firearms training that is approved by the Arizona peace officer standards and training board to carry a deadly weapon without a permit while on duty.

Ch. 53

I. THE SHERIFF HAS THE EXCLUSIVE RIGHT TO NAME ANY POSSE THAT IS ASSOCIATED WITH THE SHERIFF'S OFFICE AND TO DISSOLVE ANY POSSE THAT OPERATES UNDER THE SHERIFF'S JURISDICTION.

EXPLANATION OF BLEND
SECTION 13-901

Laws 2026, Chapters 27 and 186

Laws 2026, Ch. 27, section 1

Effective September 12, 2026

Laws 2026, Ch. 186, section 1

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 27 and Ch. 186 text changes to section 13-901 are blended in the form shown on the following pages.

BLEND OF SECTION 13-901
Laws 2026, Chapters 27 and 186

13-901. Probation

A. If a person who has been convicted of an offense is eligible for probation, the court may suspend the imposition or execution of sentence and, if so, shall without delay place the person on intensive probation supervision pursuant to section 13-913 or supervised or unsupervised probation on such terms and conditions as the law requires and the court deems appropriate, including participation in any programs authorized in title 12, chapter 2, article 11. If a person is not eligible for probation, imposition or execution of sentence shall not be suspended or delayed. If the court imposes probation, it may also impose a fine as authorized by chapter 8 of this title. If probation is granted the court shall impose a condition that the person waive extradition for any probation revocation procedures and it shall order restitution pursuant to section 13-603, subsection C where there is a victim who has suffered economic loss.

B. IF PROBATION IS GRANTED, THE FOLLOWING APPLY TO ANY CONDITIONS OF PROBATION IMPOSED UNLESS OTHERWISE REQUIRED BY LAW:

1. IN DETERMINING THE DEFENDANT'S CONDITIONS OF PROBATION, THE COURT OR A PROBATION OFFICER SHALL IMPOSE ONLY CONDITIONS OF PROBATION THAT ARE REASONABLY NECESSARY, INDIVIDUALLY DETERMINED AND NARROWLY TAILORED TO:

- (a) ASSIST THE DEFENDANT IN LEADING A LAW-ABIDING LIFE.
- (b) PROTECT PUBLIC SAFETY.
- (c) PROMOTE THE DEFENDANT'S REHABILITATION.

2. THE CONDITIONS OF PROBATION THAT ARE IMPOSED SHALL BE INFORMED BY THE DEFENDANT'S CRIMINOGENIC RISK AND NEEDS AS ESTABLISHED BY A VALIDATED RISK ASSESSMENT TOOL.

3. THE COURT OR THE PROBATION OFFICER SHALL:

(a) BEFORE IMPOSING A STANDARD CONDITION OF PROBATION, CONSIDER WAIVING ANY STANDARD CONDITION OF PROBATION THAT IS NOT REASONABLY NECESSARY TO ACHIEVE THE PURPOSES PRESCRIBED IN PARAGRAPH 1 OF THIS SUBSECTION.

(b) BEFORE IMPOSING A SPECIAL CONDITION OF PROBATION, CONSIDER ALL INFORMATION THAT IS PROPERLY PRESENTED TO THE COURT BEFORE IMPOSING A SPECIAL CONDITION OF PROBATION, SHALL DETERMINE IF THE CONDITION IS MORE RESTRICTIVE THAN IS REASONABLY NECESSARY TO ACHIEVE THE PURPOSES PRESCRIBED IN PARAGRAPH 1 OF THIS SUBSECTION AND SHALL NOT IMPOSE A SPECIAL CONDITION OF PROBATION UNLESS THE SPECIAL CONDITION IS SUPPORTED BY THE RECORD.

4. IF A PRESENTENCE REPORT WAS PREPARED PURSUANT TO SECTION 13-701, THE CONDITIONS OF PROBATION IMPOSED SHALL BE INFORMED BY THE FINDINGS OF THAT PRESENTENCE REPORT.

C. When granting probation to an adult the court, as a condition of probation, shall assess a monthly fee of not less than \$65 unless, after determining the inability of the probationer to pay the fee, the court assesses a lesser fee. This fee is not subject to any surcharge. In justice

and municipal courts the fee shall only be assessed when the person is placed on supervised probation. For persons placed on probation in the superior court, the fee shall be paid to the clerk of the superior court and the clerk of the court shall pay all monies collected from this fee to the county treasurer for deposit in the adult probation services fund established by section 12-267. For persons placed on supervised probation in the justice court, the fee shall be paid to the justice court and the justice court shall transmit all of the monies to the county treasurer for deposit in the adult probation services fund established by section 12-267. For persons placed on supervised probation in the municipal court, the fee shall be paid to the municipal court. The municipal court shall transmit all of the monies to the city treasurer who shall transmit the monies to the county treasurer for deposit in the adult probation services fund established by section 12-267. Any amount assessed pursuant to this subsection shall be used to supplement monies used for the salaries of adult probation and surveillance officers and for support of programs and services of the superior court adult probation departments.

~~B.~~ D. The period of probation shall be determined according to section 13-902, except that if a person is released pursuant to section 31-233, subsection B and community supervision is waived pursuant to section 13-603, subsection K, the court shall extend the period of probation by the amount of time the director of the state department of corrections approves for the inmate's temporary release.

~~E.~~ E. The court, in its discretion, may issue a warrant for the rearrest of the defendant and may modify or add to the conditions or, if the defendant commits an additional offense or violates a condition, may revoke probation in accordance with the Arizona rules of criminal procedure at any time before the expiration or termination of the period of probation. If the court revokes the defendant's probation and the defendant is serving more than one probationary term concurrently, the court may sentence the person to terms of imprisonment to be served consecutively.

~~F.~~ F. At any time during the probationary term of the person released on probation, any probation officer, without warrant or other process and at any time until the final disposition of the case, may rearrest any person and bring the person before the court.

~~G.~~ G. The court, on its own initiative or on application of the probationer, after notice and an opportunity to be heard for the prosecuting attorney and, on request, the victim, may terminate the period of probation or intensive probation and discharge the defendant at a time earlier than that originally imposed if in the court's opinion the ends of justice will be served and if the conduct of the defendant on probation warrants it. **THE COURT MAY NOT TERMINATE THE PERIOD OF PROBATION OR INTENSIVE PROBATION EARLIER THAN THAT ORIGINALLY IMPOSED IF THE DEFENDANT WAS CONVICTED, ON OR AFTER JANUARY 1, 2027, OF A DANGEROUS CRIME AGAINST CHILDREN AS DEFINED IN SECTION 13-705.**

Ch. 27

~~F.~~ H. When granting probation the court may require that the defendant be imprisoned in the county jail at whatever time or intervals, consecutive or nonconsecutive, the court shall determine, within the period of probation, as long as the period actually spent in confinement does not

exceed one year or the maximum period of imprisonment allowed under chapter 7 of this title, whichever is the shorter.

~~G.~~ I. If the defendant is placed on lifetime probation and has served one year in the county jail as a term of probation, the court may require that the defendant be additionally imprisoned in the county jail at whatever time or intervals, consecutive or nonconsecutive, the court shall determine, within the period of probation if the defendant's probation is revoked by the court and the defendant is subsequently reinstated on probation. The period actually spent in confinement as a term of being reinstated on probation shall not exceed one year or, when including the initial one-year period of incarceration imposed as a term of probation, the maximum period of imprisonment allowed under chapter 7 of this title, whichever is shorter.

~~H.~~ J. If restitution is made a condition of probation, the court shall fix the amount of restitution and the manner of performance pursuant to chapter 8 of this title.

~~I.~~ K. When granting probation, the court shall set forth at the time of sentencing and on the record the factual and legal reasons in support of each sentence.

~~J.~~ L. If the defendant meets the criteria set forth in section 13-901.01 or 13-3422, the court may place the defendant on probation pursuant to either section. If a defendant is placed on probation pursuant to section 13-901.01 or 13-3422, the court may impose any term of probation that is authorized pursuant to this section and that is not in violation of section 13-901.01.

~~K.~~ M. If the court imposes a term of probation, the court may require the defendant to report to a probation officer. The court or the defendant's probation officer may allow the defendant to fulfill a reporting requirement through remote reporting. The probation officer shall take into consideration and make accommodations for the probationer's work schedule, family caregiver obligations, substance abuse treatment or recovery program, mental health treatment, transportation availability and medical care requirements before setting the reporting time and location requirements for the probationer.

~~L.~~ N. If a probationer makes a written request to the supervising probation department to courtesy transfer the probationer's intensive probation supervision or supervised probation to another county in this state with the intent to reside in that county and provides proof of family caregiver obligations, employment or housing, or an offer of employment or housing that will assist in the probationer's positive behavioral change, the supervising probation department shall do all of the following:

1. Confirm the details of the probationer's employment, housing or family caregiving plans.
2. Review any victim safety concerns and ensure compliance with the victims' bill of rights.
3. Submit the request for permission to proceed to the receiving county within seven business days after receipt.

Ch. 186 — ~~M.~~ O. After verifying the information submitted by the sending probation department pursuant to subsection ~~L.~~ N of this section, the receiving probation department shall provide the sending probation

department with permission for the probationer to proceed to the receiving county within seven business days after receipt unless the receiving probation department finds the basis for the plan is not factual or the transfer will endanger the victim.

Ch. 186 — ~~N.~~ P. If a probationer's intensive probation supervision or supervised probation is courtesy transferred to another county pursuant to subsection ~~N~~ of this section and the probationer subsequently violates the terms of the probationer's probation or commits an additional offense while on probation, the probation department in the county in which the probation violation or additional offense occurred may not return the probationer's intensive probation supervision or supervised probation back to the county in which the probationer's probation was originally imposed except for revocation hearings or an order of the court.

EXPLANATION OF BLEND
SECTION 13-911

Laws 2026, Chapters 86 and 108

Laws 2026, Ch. 86, section 1

Effective September 12, 2026

Laws 2026, Ch. 108, section 3

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 86 and Ch. 108 text changes to section 13-911 are blended in the form shown on the following pages.

BLEND OF SECTION 13-911
Laws 2026, Chapters 86 and 108

13-911. Sealing of arrest, conviction and sentencing records;
requirements; fee; appeal; definition

A. A person may file a petition to seal all case records related to a criminal offense if the person was:

1. Convicted of a criminal offense and has completed all of the terms and conditions of the sentence that was imposed by the court, including the payment of all monetary obligations and restitution to all victims.
2. Charged with a criminal offense and the charge was subsequently dismissed or resulted in a not guilty verdict at a trial.
3. Arrested for a criminal offense and no charges were filed.

Ch. 108 —

B. All case records, EXCEPT THOSE VACATED PURSUANT TO SECTION 13-909, that are sealed pursuant to this section may be:

1. Alleged as an element of an offense.
2. Used as a historical prior felony conviction.
3. Admissible for impeaching any party or witness in a subsequent trial.
4. Used to enhance the sentence for a subsequent felony.
5. Used to enhance the sentence pursuant to sections 28-1381 and 28-1382.
6. Pleaded and proved in any subsequent prosecution of the person by this state or a political subdivision of this state.
7. Used as a conviction if the conviction would be admissible if the conviction was not sealed.

C. The person shall file a petition to seal all case records in one of the following:

1. The court in which the person was convicted of an offense.
2. The court in which an indictment, information, criminal citation or complaint against the person was filed and the charges were dismissed, the person was found not guilty or the person's conviction was vacated, except that if the complaint was filed in a justice court and a subsequent information was filed, the petition must be filed in the superior court.
3. The court in which the person had an initial appearance if charges were not filed.

4. The superior court in the county where a person was arrested if the person did not have an initial appearance and no charges were filed.

D. The court may not grant or deny a petition to seal a person's case records until sixty calendar days after the court receives the petition unless the court receives notice that both the prosecutor and all victims who have made a request for postconviction notice do not object to the petition. Unless the petitioner, prosecutor or victim requests a hearing, the court may grant or deny a petition to seal case records without a hearing. The court may dismiss a petition that does not meet the

requirements prescribed in this section without a hearing. The court shall grant the petition if the court determines that granting the petition is in the best interests of the petitioner and the public's safety. The clerk of the court shall provide a copy of the petition to seal case records to the prosecutor. The prosecutor may respond to the petition and request a hearing. The victim has a right to be present and heard at any proceeding in which the defendant has filed a petition to seal case records. If the victim has made a request for postconviction notice, the prosecutor shall provide the victim with notice of the defendant's petition and of the victim's rights under this section.

E. At the time of sentencing, the court shall inform the person on the record that the person may be eligible to petition the court for an order that seals all case records of the person's arrest, conviction and sentence that are related to the offense pursuant to this section and shall provide this notice in writing. A person who was convicted of any eligible offense may petition the court to seal the person's records of arrest, conviction and sentence after the person completes all of the nonmonetary terms and conditions of the person's sentence ordered by the court, and the following period of time has passed since the person completed the nonmonetary conditions of probation or sentence and was discharged by the court:

1. Ten years for a class 2 or 3 felony.
2. Five years for a class 4, 5 or 6 felony.
3. Three years for a class 1 misdemeanor.
4. Two years for a class 2 or 3 misdemeanor.
5. IMMEDIATELY FOR AN OFFENSE VACATED PURSUANT TO SECTION 13-909.
6. IMMEDIATELY FOR A PETTY OFFENSE.

Ch. 108 —
Ch. 86 —

F. A person whose case records have been sealed pursuant to subsection E of this section and who commits a subsequent felony offense may petition the court pursuant to subsection E of this section to seal the person's records of arrest, conviction and sentence relating to the subsequent felony offense after the applicable period of time prescribed in subsection E of this section for the subsequent felony offense has expired and an additional five years have passed.

G. A petitioner is required to have paid all fines, fees and restitution ordered by the court at the time of filing the petition to be eligible to seal case records pursuant to this section.

H. After a petition to seal case records is filed, the court shall notify the department of public safety and request the department to prepare and submit a report to the court that includes all of the petitioner's state and federal arrests, prosecutions and convictions and any other information that the court requests or that the department believes will assist the court in making its determination. The director may charge the petitioner a fee that is determined by the director for the investigation unless the petitioner is indigent or has been found not guilty or the case was dismissed or not prosecuted and the petition is filed pursuant to subsection C, paragraph 2 or 3 of this section.

I. If the court grants a petition to seal case records:

1. The court shall issue an order sealing all records relating to the petitioner's arrest, conviction and sentence and directing the clerk of

the court to notify the department of public safety and the prosecutor of the sealing order.

2. On order of a court, the clerk of the court shall seal all case records relating to the petitioner's arrest, conviction and sentence. A court order to seal case records pursuant to this section is subject only to the disclosure requirements in this section and shall be treated differently than a record that is sealed pursuant to any other statute or court rule. The clerk shall create and manage a system for sealing case records pursuant to this section and for providing sealed case records to an entity or person that is listed in subsection J of this section and that requests the record. On the request of an entity or person listed in subsection J of this section, the clerk shall provide the entity or person with any sealed case records. The clerk may not provide sealed case records pursuant to this section to any person or entity that is not listed in subsection J of this section.

3. The department of public safety shall designate the case records as sealed within the department's records and inform all appropriate state and federal law enforcement agencies of the sealing. The department may not share or provide sealed case records with any person or entity or for any purpose that is not listed in subsections B and J of this section. The department may charge the successful petitioner a fee determined by the director to research and correct the petitioner's criminal history record unless the petitioner is indigent or has been found not guilty or the case has been dismissed or not prosecuted and the petition is filed pursuant to subsection C, paragraph 2 or 3 of this section.

4. The arresting and prosecuting agencies shall clearly identify in each agency's files and electronic records that the petitioner's arrest or conviction and sentence records are sealed.

5. A person whose records are sealed pursuant to this section may state, in all instances, that the person has never been arrested for, charged with or convicted of the crime that is the subject of the arrest or conviction, including in response to questions on employment, housing, financial aid or loan applications unless any of the following applies:

(a) The person is submitting an application that requires a fingerprint clearance card pursuant to title 41, chapter 12, article 3.1.

(b) The sealed case records involved a class 2 or class 3 felony violation of chapter 34 of this title.

(c) The sealed case records involved burglary under section 13-1506, 13-1507 or 13-1508, theft under section 13-1802 or organized retail theft under section 13-1819 from a residential or nonresidential structure and the person is applying for a job that requires entering into and performing services inside of a residential structure.

(d) The sealed case records involved child abuse under section 13-3623 or aggravated assault under section 13-1204 and the person is applying for a job involving supervising, educating or administering care to a minor.

(e) The sealed case records involved vulnerable adult abuse under section 13-3623 and the person is applying for a job involving supervising or administering care to a vulnerable adult or a person who is at least sixty-five years of age.

(f) The sealed case records involved a violation of section 5-395.01, 5-396, 5-397, 13-1814, 28-1381, 28-1382, 28-1383, 28-8282, 28-8284, 28-8286, 28-8287 or 28-8288 and the person is applying for a job involving the commercial or private operation of a motor vehicle, boat or airplane.

(g) The sealed case records involved a violation of chapter 18, 19, 20, 21, 22 or 23 of this title or telecommunication fraud under section 13-3707 and the person is applying for a job involving accounting, overseeing, transporting, handling or managing another person's money or financial assets.

(h) The person is applying for a position with a law enforcement agency, a prosecutor's office, a court, a probation department, a child welfare agency as defined in section 8-501, the department of child safety, the department of juvenile corrections or the state department of corrections.

(i) The person is undergoing a background check for the placement with that person of a child who is in the custody of the department of child safety.

(j) The disclosure is required by a state or federal law.

(k) The disclosure is required to comply with program integrity provisions of medicare, medicaid or any other federal health care program.

6. The person's employer is not liable for hiring or contracting with the person as prescribed in section 12-558.03.

J. If the person's case records are sealed pursuant to this section, the records shall be made available for the purposes listed in subsection B of this section and to the following:

1. The person whose records are sealed and any attorney who has filed a notice of appearance on behalf of the person whose records are sealed.

2. The victim in the case if the victim has exercised victims' rights pursuant to section 13-4414.

3. Any of the following if the purpose relates to the operation of the requesting party's official duties or internal hiring practices, or both:

(a) A law enforcement agency.

(b) A prosecuting agency. On request of a person who is charged with a criminal offense or that person's attorney of record, a prosecuting agency shall provide the sealed case records of any person whom the prosecuting agency intends to call as a witness in that person's prosecution.

(c) A probation department or any agency that is responsible for the preparation of a presentence report.

(d) A court.

(e) The department of child safety or a child welfare agency as defined in section 8-501.

(f) The department of juvenile corrections.

(g) The state department of corrections or any other correctional facility in this state.

(h) The clerk of the court or any department that is responsible for maintaining court records.

K. This section does not require the supreme court or the court of appeals to seal any record.

L. If the court denies a petition to seal case records, a person may not file a new petition until three years after the date of the denial.

M. A conviction for an offense that is committed in another jurisdiction and that if committed in this state would not constitute an offense in this state may not be used against the petitioner or prohibit the petitioner from having a record sealed. For the purposes of this section, the classification of an offense committed in another jurisdiction has the classification that the offense would have if committed in this state.

N. If the petitioner has a charge pending or is charged with an offense after filing a petition to seal case records pursuant to subsection C, paragraph 3 or 4 of this section and the charge could result in a conviction that cannot be sealed or that could extend the time to file a petition to seal case records, the court may not grant or deny the petition until the court disposes of that charge.

O. The following offenses are not eligible to be sealed pursuant to this section:

1. A dangerous offense as defined in section 13-105.
2. A dangerous crime against children as defined in section 13-705.
3. A serious offense or violent or aggravated felony as defined in section 13-706.

4. Any offense that has either of the following as an element of the offense:

(a) The discharge, use or threatening exhibition of a deadly weapon or dangerous instrument.

(b) The knowing infliction of serious physical injury on another person.

5. Sex trafficking pursuant to section 13-1307.

6. A class 2, 3, 4 or 5 felony offense that is included in chapter 14 or 35.1 of this title.

P. This section does not affect any of the following:

1. The right of the person whose case records are sealed to appeal the conviction or sentence or to rely on it in bar of any subsequent proceeding for the same offense.

2. The right of a law enforcement agency to maintain an arrest and conviction record and to communicate information regarding the sealed record of arrest or conviction to prosecuting agencies, courts, probation departments and other law enforcement agencies for a purpose listed in subsection J of this section or in defense of a civil action that arises out of the facts of the arrest or to the Arizona peace officer standards and training board solely to assist the board in determining the fitness of a person to serve as a peace officer, except that in any of these cases the information may not be disclosed to any person or entity that is not listed in subsection J of this section.

3. The department of public safety or the board of fingerprinting from considering a conviction that is sealed pursuant to this section when evaluating an application for a fingerprint clearance card pursuant to section 41-1758.03 or 41-1758.07, except that the board of fingerprinting shall consider sealed case records as a mitigating circumstance in

determining whether to grant a good cause exception pursuant to section 41-619.55.

4. A court from issuing a lifetime injunction pursuant to section 13-719 or the validity of a lifetime injunction that was issued pursuant to section 13-719.

Q. For the purposes of this section, "case records" means all records that pertain to a person's arrest, conviction and sentence for a particular offense and that may be sealed pursuant to this section.

EXPLANATION OF BLEND
SECTION 13-923

Laws 2026, Chapters 27 and 36

Laws 2026, Ch. 27, section 2

Effective September 12, 2026

Laws 2026, Ch. 36, section 1

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 27 and Ch. 36 text changes to section 13-923 are blended in the form shown on the following page.

BLEND OF SECTION 13-923
Laws 2026, Chapters 27 and 36

13-923. Persons convicted of sexual offenses: annual probation review hearing: report: notification

A. If requested by the probationer, the court shall conduct a probation hearing at least once a year for a probationer who is under twenty-two years of age and who was convicted of an offense that occurred when the person was under eighteen years of age and that requires the probationer to register pursuant to section 13-3821.

B. This section does not preclude the court from conducting more than one probation review hearing each year.

Chs. 27 and 36 { C. The probation department that is supervising the probationer shall prepare a probation report and submit the report to the court ~~prior to~~ BEFORE the hearing.

Ch. 36 { D. The following individuals shall be notified of the PROBATION hearing AND ANY PREHEARING THAT ARE HELD PURSUANT TO THIS SECTION:

1. A prosecutor.

2. An attorney for the probationer.

Chs. 27 and 36 { 3. Any victim or victim's attorney who has a right to be present and heard pursuant to the victims' bill of rights, article II, section 2.1[,] ~~of the~~ Constitution of ~~this state~~ ARIZONA, ~~title 13,~~ chapter 40 OF THIS TITLE or court rule.

4. The probation officer supervising the probationer.

E. At the hearing, after hearing from those present pursuant to subsection D of this section, the court shall consider the following:

Ch. 27 { 1. Whether to continue, modify or terminate probation. THE COURT MAY NOT TERMINATE THE PERIOD OF PROBATION EARLIER THAN THAT ORIGINALLY IMPOSED IF THE PROBATIONER WAS CONVICTED, ON OR AFTER JANUARY 1, 2027, OF A DANGEROUS CRIME AGAINST CHILDREN AS DEFINED IN SECTION 13-705.

2. Whether to continue to require, to suspend or to terminate the probationer's registration pursuant to section 13-3821.

3. Whether to continue, defer or terminate community notification pursuant to section 13-3825.

F. The court may hold a prehearing involving the persons listed in subsection D of this section to discuss and advise the court concerning the issues listed in subsection E of this section.

EXPLANATION OF BLEND
SECTION 13-924

Laws 2026, Chapters 27 and 186

Laws 2026, Ch. 27, section 3

Effective September 12, 2026

Laws 2026, Ch. 186, section 4

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 27 and Ch. 186 text changes to section 13-924 are blended in the form shown on the following page.

BLEND OF SECTION 13-924
Laws 2026, Chapters 27 and 186

13-924. Probation; earned time credit; work time credit; applicability; definitions

A. The court may adjust the period of a probationer's supervised probation on the recommendation of an adult probation officer for earned time credit or work time credit.

B. Earned time credit equals twenty days for every thirty days that a probationer does all of the following:

1. Exhibits positive progression toward the goals and treatment of the probationer's case plan.

2. Is current on payments for ~~court ordered~~ COURT-ORDERED restitution and is in compliance with all other nonmonetary obligations.

3. Is current in completing community restitution.

C. Work time credit equals thirty days for every thirty days that a probationer does all of the following:

1. Is engaged in eligible employment. A probationer must provide supporting documentation to the supervising probation officer within five business days after completing thirty days of eligible employment. The supervising probation officer must verify the probationer's employment through the supporting documentation that is provided by the probationer and by any other means that the court determines is necessary to verify the work, including site visits and telephonic verification. The probation officer must document any request for work time credit that is denied.

2. Exhibits positive progression toward the goals and treatment of the probationer's case plan.

3. Is current on payments for court-ordered restitution and is in compliance with all other nonmonetary obligations.

4. Is current in completing community restitution.

D. Any earned time credit and work time credit awarded pursuant to this section shall be revoked if a probationer is found in violation of a condition of probation.

E. This section does not apply to a probationer who is currently:

1. On lifetime probation.

2. On probation for any class 2 or 3 felony.

3. On probation exclusively for a misdemeanor offense.

4. Required to register pursuant to section 13-3821.

5. ON PROBATION FOR A DANGEROUS CRIME AGAINST CHILDREN AS DEFINED IN SECTION 13-705 IF THE PROBATIONER WAS CONVICTED ON OR AFTER JANUARY 1, 2027.

F. This section has no effect on the ability of the court to terminate the period of probation or intensive probation pursuant to section 13-901,

subsection ~~F~~ G at a time earlier than originally imposed.

G. For the purposes of this section:

1. "Eligible employment" means any occupation or combination of occupations for which a person can provide supporting documentation verifying at least one hundred thirty wage-earning hours in any thirty-day period.

2. "Supporting documentation" means an employment record, pay stub, employment letter, contract or other reliable means of verifying employment.

Chs. 27 —
and 186

Ch. 27

Ch. 186

EXPLANATION OF BLEND
SECTION 13-3729

Laws 2026, Chapters 116, 215 and 236

Laws 2026, Ch. 116, section 3	Effective September 12, 2026
Laws 2026, Ch. 215, section 1	Effective September 12, 2026
Laws 2026, Ch. 236, section 1	Effective September 12, 2026

Explanation

Since these three enactments are compatible, the Laws 2026, Ch. 116, Ch. 215 and Ch. 236 text changes to section 13-3729 are blended in the form shown on the following pages.

13-3729. Unlawful operation of model or unmanned aircraft:
state preemption: classification: definitions

A. It is unlawful for a person to operate a model aircraft or a civil unmanned aircraft if the operation:

1. Is prohibited by a federal law or regulation that governs aeronautics, including federal aviation administration regulations.
2. Interferes with a law enforcement, firefighter or emergency services operation.

B. It is unlawful for a person to operate or use an unmanned aircraft or unmanned aircraft system to intentionally photograph or loiter over or near a critical facility in the furtherance of any criminal offense.

Ch. 116

~~C. Except as authorized by law, a city, town or county may not enact or adopt any ordinance, policy or rule that relates to the ownership or operation of an unmanned aircraft or unmanned aircraft system or otherwise engage in the regulation of the ownership or operation of an unmanned aircraft or an unmanned aircraft system. Any ordinance, policy or rule that violates this subsection, whether enacted or adopted by the city, town or county before or after August 6, 2016, is void.~~

C. IT IS UNLAWFUL FOR A PERSON TO INTENTIONALLY OPERATE A CIVIL UNMANNED AIRCRAFT WITHIN FIVE THOUSAND TWO HUNDRED EIGHTY FEET OF OR WITHIN FIVE THOUSAND TWO HUNDRED EIGHTY FEET ABOVE A TICKETED ENTERTAINMENT EVENT UNLESS THE PERSON:

Ch. 215

1. OBTAINS WRITTEN CONSENT FROM ANOTHER PERSON WITH LEGAL AUTHORITY OVER THE TICKETED ENTERTAINMENT EVENT.
2. IS AN EMPLOYEE OF THE PROPERTY WHERE THE TICKETED ENTERTAINMENT EVENT IS HELD AND IS CONDUCTING OFFICIAL BUSINESS.
3. IS AN EMPLOYEE OF A WATER, SEWER, ELECTRIC, TELECOMMUNICATIONS, CABLE OR OTHER PUBLIC OR REGULATED UTILITY AND IS CONDUCTING OFFICIAL BUSINESS.
4. IS OPERATING THE PERSON'S OWN CIVIL UNMANNED AIRCRAFT ABOVE THE PERSON'S OWN PRIVATE PROPERTY AND THE OPERATION IS CONSISTENT WITH FEDERAL LAW AND IS NOT USED FOR ANY OF THE FOLLOWING:
 - (a) COMMERCIAL PURPOSES.
 - (b) TO CONVEY OR COMMUNICATE A MESSAGE OR TO RECORD FOR THE PURPOSES OF COMMERCIAL BROADCASTING OR PUBLICATION.
 - (c) TO MONITOR OR OTHERWISE INTERFERE IN ANY WAY WITH A TICKETED ENTERTAINMENT EVENT.

Ch. 236

D. IT IS UNLAWFUL FOR A PERSON TO OPERATE OR USE AN UNMANNED AIRCRAFT OR UNMANNED AIRCRAFT SYSTEM TO INTENTIONALLY PHOTOGRAPH OR LOITER TWO HUNDRED FEET OR LESS ABOVE A PROPERTY IF THE OPERATOR IS OPERATING THE UNMANNED AIRCRAFT OR UNMANNED AIRCRAFT SYSTEM FOR HOBBY OR RECREATIONAL PURPOSES AND KNOWS OR REASONABLY SHOULD KNOW THAT ALL OF THE FOLLOWING APPLY:

1. THE PROPERTY IS NOT ZONED FOR RESIDENTIAL USE.
2. THE PROPERTY IS USED TO PROVIDE INSTRUCTION TO STUDENTS IN KINDERGARTEN PROGRAMS OR IN ANY OF GRADES ONE THROUGH TWELVE WHEN SCHOOL IS IN SESSION OR WHEN SCHOOL ACTIVITIES ARE OCCURRING ON THE PROPERTY OUTSIDE OF NORMAL SCHOOL HOURS.
3. THE PROPERTY OWNER OR A PERSON WHO HAS LAWFUL CONTROL OVER THE PROPERTY HAS POSTED REASONABLE NOTICE PROHIBITING ENTRY ON OR OVER THE PROPERTY.

Ch. 236 { 4. A PEACE OFFICER, THE OWNER OF THE PROPERTY OR A PERSON WHO HAS
LAWFUL CONTROL OVER THE PROPERTY HAS NOTIFIED THE OPERATOR OF THE UNMANNED
AIRCRAFT OR UNMANNED AIRCRAFT SYSTEM OF THE PROHIBITION AND GIVEN A
REASONABLE REQUEST TO LEAVE THE PROPERTY.

~~D.~~ E. This section does not:

1. Apply to a person or entity that is authorized or allowed by the federal aviation administration to operate or use an unmanned aircraft system if the person's or entity's operation or use complies with the authorization granted to the person or entity or with federal aviation administration rules.

Ch. 116 { ~~2. Prohibit a city, town or county from enacting or adopting ordinances or rules on the operation or use of a public unmanned aircraft that is owned by the city, town or county.~~

~~3. Prohibit a city, town or county from enacting or adopting ordinances or rules that regulate the takeoff or landing of a model aircraft in a park or preserve owned by the city, town or county if:~~

~~(a) There are other parks or preserves that are within the city, town or county and that are available for model aircraft operation.~~

~~(b) The city, town or county only has one park or preserve that is within the city, town or county.~~

Ch. 215 { ~~4.~~ 2. Apply to the operation of an unmanned aircraft, including a public unmanned aircraft, by a first responder as defined in section 36-661 OR ANOTHER CITY, TOWN, COUNTY OR STATE EMPLOYEE while acting in the first responder's OR EMPLOYEE'S official capacity or an emergency worker while engaged in or supporting authorized emergency management activities or performing emergency functions pursuant to title 26, chapter 2.

Ch. 236 { F. SUBSECTION D OF THIS SECTION DOES NOT APPLY TO A PERSON WHO HAS LEGAL AUTHORITY OR ADMINISTRATIVE OVERSIGHT OVER THE PROPERTY OR WHO OBTAINS CONSENT FROM ANOTHER PERSON WITH LEGAL AUTHORITY OR ADMINISTRATIVE OVERSIGHT OVER THE PROPERTY.

Ch. 215 — ~~F.~~ G. A violation of subsection B of this section is a class 6 felony, except that a second or subsequent violation is a class 5 felony. A violation of subsection A OR C of this section is a class 1 misdemeanor.

Ch. 236 — A VIOLATION OF SUBSECTION D OF THIS SECTION IS A CLASS 3 MISDEMEANOR.

~~F.~~ H. For the purposes of this section:

1. "Civil unmanned aircraft" means an unmanned aircraft or unmanned aircraft system that is operated by a person for any purpose other than strictly for hobby or recreational purposes, including commercial purposes, or in furtherance of or incidental to any business or media service or agency.

2. "Commercial purposes" means the use of an unmanned aircraft in return for financial compensation and includes aerial photography, aerial mapping or geospatial imaging.

3. "Critical facility" means any of the following:

(a) A petroleum or alumina refinery.

(b) A petroleum, chemical or rubber production, transportation, storage or processing facility.

(c) A chemical manufacturing facility.

(d) A water or wastewater treatment facility and water development, distribution or conveyance system, including a dam.

- (e) An electric generation facility, as defined in section 42-14156, and any associated substation or switchyard.
- (f) An electrical transmission or distribution substation.
- (g) An electrical transmission line of at least sixty-nine thousand volts.
- (h) An electronic communication station or tower.
- (i) An energy control center.
- (j) A distribution operating center.
- (k) A facility that transfers or distributes natural gas, including a compressor station, regulator station, city gate station or pressure limiting station or a liquefied natural gas facility or supplier tap facility.
- (l) Any railroad infrastructure or facility.
- (m) A federal, state, county or municipal court.
- (n) A public safety or emergency operation facility.
- (o) A federal, state, county or municipal jail or prison or other facility in which persons are incarcerated.
- (p) A federal or state military installation or facility.
- (q) A hospital that receives air ambulance services.

4. "Model aircraft" ~~has the same meaning prescribed in section 336 of the FAA modernization and reform act of 2012 (P.L. 112-95), as amended~~
MEANS AN UNMANNED AIRCRAFT THAT IS [ALL OF THE FOLLOWING]:

- (a) CAPABLE OF SUSTAINED FLIGHT IN THE ATMOSPHERE.
- (b) FLOWN WITHIN THE VISUAL LINE OF SIGHT OF THE PERSON OPERATING THE MODEL AIRCRAFT.
- (c) FLOWN FOR HOBBY OR RECREATIONAL PURPOSES.

5. "Person" means a corporation, firm, partnership, association, individual or organization or any other group acting as a unit.

6. "Public unmanned aircraft" means an unmanned aircraft or unmanned aircraft system that is operated by a public agency for a government-related purpose.

7. "TICKETED ENTERTAINMENT EVENT" MEANS A MUSIC, SPORTING OR PERFORMING ARTS EVENT THAT MEETS ALL OF THE FOLLOWING:

- (a) THE EVENT IS HELD IN A LOCATION WITH GATED ENTRIES OR BARRIERS THAT PREVENT ACCESS TO THE GENERAL PUBLIC.
- (b) AN OWNER, OPERATOR OR LESSEE OF THE PROPERTY HAS ISSUED EVIDENCE OF THE RIGHT OF ENTRY.

(c) THE EVENT IS HELD IN ONE OF THE FOLLOWING LOCATIONS:

- (i) OUTDOORS.
- (ii) AT A VENUE WITH A RETRACTABLE ROOF.
- (iii) IN A FACILITY WITH A CAPACITY OF AT LEAST ONE THOUSAND ATTENDEES.

~~7.~~ 8. "Unmanned aircraft" means an aircraft, including an aircraft commonly known as a drone, that is operated without the possibility of direct human intervention from within or on the aircraft.

~~8.~~ 9. "Unmanned aircraft system" means an unmanned aircraft and associated elements, including any communication links and components that control the unmanned aircraft.

Chs. 116
and 236

Ch. 236

Ch. 215

EXPLANATION OF BLEND
SECTION 15-1626

Laws 2026, Chapters 133 and 170

Laws 2026, Ch. 133, section 1

Effective September 12, 2026

Laws 2026, Ch. 170, section 1

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 133 and Ch. 170 text changes to section 15-1626 are blended in the form shown on the following pages.

BLEND OF SECTION 15-1626
Laws 2026, Chapters 133 and 170

15-1626. General administrative powers and duties of board;
definition

A. The Arizona board of regents shall:

1. Have and exercise the powers necessary for the effective governance and administration of the institutions under the board's control. To that end, the board may adopt, and authorize each university to adopt, regulations, policies, rules or measures as are deemed necessary and may delegate in writing to the board's committees, to university presidents, or the presidents' designees, or to other entities under the board's control, any part of the board's authority ~~for the administration~~ TO ADMINISTER and ~~governance of~~ GOVERN those institutions, including those powers enumerated in section 15-1625, subsection B, paragraphs 2 and 4, paragraphs 3, 4, 8, 9, 11, 12 and 22 of this subsection and subsection B of this section. THE BOARD MAY RESCIND any delegation of authority ~~may be rescinded by the board~~ at any time in whole or in part.

Chs. 133
and 170

Ch. 133

2. Appoint and employ and determine the compensation of presidents with the power and authority and for the purposes in connection with the operation of the institutions as the board deems necessary.

3. Appoint and employ and determine the compensation of vice presidents, deans, professors, instructors, lecturers, fellows and the other officers and employees with the power and authority and for the purposes in connection with the operation of the institutions as the board deems necessary, or delegate the board's authority pursuant to paragraph 1 of this subsection.

4. Remove any officer or employee when the interests of education in this state so require in accordance with the board's personnel rules and policies.

5. Fix tuitions and fees to be charged and differentiate the tuitions and fees between institutions and between residents, nonresidents, undergraduate students, graduate students, students from foreign countries and students who have earned credit hours in excess of the credit hour threshold. For the purposes of this paragraph, the undergraduate credit hour threshold is one hundred forty-five hours for students who attend a university under the jurisdiction of the board. The undergraduate credit hour threshold shall be based on the actual full-time equivalent student enrollment counted on the forty-fifth day of every fall and spring semester, divided by two, and any budget adjustment based on student enrollment shall occur in the fiscal year following the actual full-time equivalent student enrollment count. The undergraduate credit hour threshold shall not apply to degree programs that require credit hours above the credit hour threshold, credits earned in the pursuit of up to two baccalaureate degrees, credits earned in the pursuit of up to two state regulated licensures or certificates, credits earned in the pursuit of teaching certification,

credits transferred from a private institution of higher education, credits transferred from an institution of higher education in another state, credits earned at another institution of higher education but that are not accepted as transfer credits at the university where the student is currently enrolled and credits earned by students who enroll at a university under the jurisdiction of the board more than twenty-four months after the end of that student's previous enrollment at a public institution of higher education in this state. On or before October 15 of each year, the board shall report to the joint legislative budget committee the number of in-state students and out-of-state students who were enrolled at universities under the jurisdiction of the board during the previous fiscal year and who met or exceeded the undergraduate credit hour threshold prescribed in this paragraph. The amount of tuition and fees included in the operating budget for the university adopted by the board as prescribed in paragraph 13 of this subsection is subject to legislative appropriation and shall be deposited in a separate tuition and fees subaccount for each university. All other tuition and fee revenue shall be retained by each university for expenditure as approved by the board in a separate local tuition and fees subaccount for each university. This subaccount shall consist of only tuition and fees. The universities shall not use any tuition or fee revenue to fund or support an alumni association.

6. Adopt rules to govern the board's tuition and academic fee setting process that provide for the following:

(a) At least one public hearing at each university as an opportunity for students and members of the public to comment on any proposed increase in tuition or fees.

(b) Publication of the notice of public hearing at least ten days before the hearing in a newspaper of general circulation in Maricopa county, Coconino county and Pima county. The notice shall include the date, time and location of the public hearing.

(c) Public disclosure by each university of any proposed increases in tuition or fees at least ten days before the public hearing.

(d) A roll call vote of any final board action on changes in tuition, including tuition rate changes for online programs, or academic fees.

(e) Public disclosure by the board and each university of any final board action on changes in tuition or academic fees.

7. Pursuant to section 35-115, submit a budget request for each institution under the board's jurisdiction that includes the estimated tuition and fee revenue available to support the programs of the institution as described in the budget request. The estimated available tuition and fee revenue shall be based on the tuition and registration fee rates in effect at the time the budget request is submitted with adjustments for projected changes in enrollment as provided by the board.

8. Establish curricula and designate courses at the several institutions that in the board's judgment will best serve the interests of this state.

9. Award degrees and diplomas on the completion of the courses and curriculum requirements that the board deems appropriate.

10. Prescribe qualifications for admission of all students to the universities. The board shall establish policies for guaranteed admission that ensure fair and equitable access to students in this state from public,

private and charter schools and homeschools. For the purpose of determining the qualifications of honorably discharged veterans, veterans are those persons who served in the armed forces for at least two years and who were previously enrolled at a university or community college in this state. Prior failing grades received by a veteran at the university or community college in this state may not be considered.

11. Adopt any energy conservation standards adopted by the department of administration for the construction of new buildings.

12. Employ for the time and purposes that the board requires attorneys whose compensation shall be fixed and paid by the board. Litigation to which the board is a party and for which self-insurance is not provided may be compromised or settled at the direction of the board.

13. Adopt annually an operating budget for each university equal to the sum of appropriated state general fund monies and the amount of tuition and fees approved by the board and allocated to each university operating budget.

14. In consultation with the state board of education and other education groups, develop and implement a program to award honors endorsements to be affixed to the high school diplomas of qualifying high school pupils and to be included in the transcripts of pupils who are awarded endorsements. The Arizona board of regents shall develop application procedures and testing criteria and adopt testing instruments and procedures to administer the program. In order to receive an honors endorsement, a pupil must demonstrate an extraordinary level of knowledge, skill and competency as measured by the testing instruments adopted by the Arizona board of regents in mathematics, English, science and social studies. Additional subjects may be added at the determination of the Arizona board of regents. The program is voluntary for pupils.

15. Require the publisher of each literary and nonliterary textbook used in the universities of this state to furnish to the board computer software in a standardized format when software becomes available for nonliterary textbooks from which braille versions of the textbooks may be produced.

16. Require universities that provide a degree in education to require courses that are necessary to obtain a provisional structured English immersion endorsement as prescribed by the state board of education.

17. Acquire for each classroom United States flags that are manufactured in the United States and that are at least two feet by three feet, hardware to appropriately display the United States flags and a legible copy of the Constitution of the United States and the Bill of Rights. The board shall display the flags in each classroom in accordance with title 4 of the United States Code and display a legible copy of the Constitution of the United States and the Bill of Rights adjacent to the flag.

18. To facilitate the transfer of military personnel and their dependents to and from the public schools of this state, pursue, in cooperation with the state board of education, reciprocity agreements with other states concerning the transfer credits for military personnel and their dependents. A reciprocity agreement entered into pursuant to this paragraph shall:

- (a) Address procedures for each of the following:
- (i) The transfer of student records.

(ii) Awarding credit for completed coursework.

(iii) ~~Permitting~~ ALLOWING a student to satisfy the graduation requirements prescribed in section 15-701.01 through the successful performance on comparable exit-level assessment instruments administered in another state.

(b) Include appropriate criteria developed by the state board of education and the Arizona board of regents.

19. Require a university to publicly post notices of all of the university's employment openings, including the title and description, instructions for applying and relevant contact information.

20. In consultation with the community college districts in this state, develop and implement common equivalencies for specific levels of achievement on advanced placement examinations and international baccalaureate examinations in order to award commensurate postsecondary academic credits at community colleges and public universities in this state.

21. On or before August 1 of each year, report to the joint legislative budget committee the graduation rate by university campus during the previous fiscal year. The board shall also report the retention rate by university campus and by class, as determined by date of entry during the previous fiscal year.

22. Enter into an agreement with one or more career technical education district governing boards pursuant to section 15-393, subsection K if the agreement, in the board's judgment, will serve the interests of this state.

23. REQUIRE EACH UNIVERSITY TO ESTABLISH, ADOPT AND POST ON THE UNIVERSITY'S WEBSITE A RESEARCH SECURITY POLICY THAT DOES ALL OF THE FOLLOWING:

(a) SAFEGUARDS THE UNIVERSITY'S RESEARCH.

(b) PROMOTES A SECURITY CULTURE.

(c) FURTHERS NATIONAL SECURITY INTERESTS.

(d) MITIGATES POTENTIAL THREATS TO THE UNIVERSITY'S RESEARCH FROM ANY FOREIGN ADVERSARY NATION AS DEFINED IN SECTION 33-443.

(e) COMPLIES WITH ALL APPLICABLE LEGAL, REGULATORY AND CONTRACTUAL STANDARDS AND REQUIREMENTS FOR SECURING AND PROTECTING THE UNIVERSITY'S ACADEMIC RESEARCH ENTERPRISE, INCLUDING ANY RESEARCH THAT INVOLVES THE UNIVERSITY, THE UNIVERSITY'S CAMPUSES OR THE UNIVERSITY'S INTERNAL COMPONENTS.

(f) PROMOTES A CULTURE OF COMPLIANCE THAT IS CONSISTENT WITH FEDERAL REGULATIONS TO ENSURE THAT THE UNIVERSITY MAINTAINS ELIGIBILITY FOR FEDERAL FUNDING, INCLUDING FEDERAL RISK MITIGATION REQUIREMENTS PERTAINING TO STANDARDIZED DISCLOSURES, CYBERSECURITY, FOREIGN TRAVEL SECURITY, INSIDER THREATS AND EXPORT CONTROLS.

(g) ESTABLISHES PROCESSES TO REGULARLY UPDATE THE UNIVERSITY'S RESEARCH SECURITY POLICY, INCLUDING PROCESSES TO ENSURE COMPLIANCE WITH THE POLICY AND REPORTING WITHIN THE POLICY.

(h) ESTABLISHES PROCESSES TO IDENTIFY AND ADDRESS COMPLIANCE CONCERNS AT THE UNIVERSITY THAT ARE CONSISTENT WITH THE UNIVERSITY'S RESEARCH SECURITY POLICY, INCLUDING ANY TRAINING THAT THE UNIVERSITY WILL PROVIDE.

24. ON OR BEFORE OCTOBER 1 OF EACH YEAR, SUBMIT A REPORT TO THE GOVERNOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF

REPRESENTATIVES, AND SUBMIT A COPY OF THE REPORT TO THE SECRETARY OF STATE, THAT INCLUDES ALL OF THE FOLLOWING:

(a) INFORMATION AND DETAILS ON EACH UNIVERSITY'S RESEARCH SECURITY POLICY ADOPTED PURSUANT TO PARAGRAPH 23 OF THIS SUBSECTION AND RELATED PRACTICES, PROTOCOLS AND STRATEGIES.

(b) INFORMATION THAT DEMONSTRATES HOW EACH UNIVERSITY IS COMPLYING WITH APPLICABLE STATE AND FEDERAL LAWS TO PROMOTE A SAFE AND SECURE RESEARCH ENVIRONMENT AND TO PROTECT NATIONAL SECURITY AND INTELLECTUAL PROPERTY AND TO DEFEND AGAINST ANY FOREIGN ADVERSARY NATION AS DEFINED IN SECTION 33-443.

(c) THE TOTAL NUMBER OF GRANTS, GIFTS OR DONATIONS THAT EACH UNIVERSITY RECEIVED FROM A FOREIGN COUNTRY IN THE PRECEDING YEAR THAT EXCEEDED \$250,000.

B. The Arizona board of regents shall adopt personnel policies for all employees of the board and the universities.

C. In conjunction with the auditor general, the Arizona board of regents shall develop a uniform accounting and reporting system, which shall be reviewed by the joint legislative budget committee before final adoption by the board. The board shall require each university to comply with the uniform accounting and reporting system.

D. The Arizona board of regents may employ legal assistance in procuring loans for the institutions from the United States government. Fees or compensation paid for legal assistance pursuant to this subsection shall not be a claim on the state general fund but shall be paid from funds of the institutions.

E. The Arizona board of regents shall approve or disapprove any contract or agreement entered into by the university of Arizona hospital with the Arizona industrial development authority.

F. The Arizona board of regents may adopt policies that authorize the institutions under ~~its~~ THE BOARD'S jurisdiction to enter into employment contracts with nontenured employees for periods of more than one year but not more than five years. The policies must prescribe limits on the authority of the institutions to enter into employment contracts for periods of more than one year but not more than five years, including the requirement that the board approve the contracts.

G. The Arizona board of regents may adopt a plan or plans for employee benefits that allow participation in a cafeteria plan that meets the requirements of the United States internal revenue code of 1986.

H. The Arizona board of regents may establish a program for the exchange of students between the universities under the jurisdiction of the board and colleges and universities located in the state of Sonora, Mexico. Notwithstanding subsection A, paragraph 5 of this section, the program may provide for in-state tuition at the universities under the jurisdiction of the board for fifty Sonoran students in exchange for similar tuition provisions for up to fifty Arizona students enrolled or seeking enrollment in Sonoran colleges or universities. The board may direct the universities to work in conjunction with the Arizona-Mexico commission to coordinate recruitment and admissions activities.

I. The Arizona board of regents, in collaboration with the universities under the board's jurisdiction, shall adopt a performance funding model using performance metrics that include the increase in degrees awarded, the increase in completed student credit hours and the increase in

externally generated research and public service funding. The funding formula may give added weight to degrees related to science, technology, engineering and mathematics and other high-value degrees that are in short supply or that are essential to this state's long-term economic development strategy.

J. The Arizona board of regents shall use the performance funding model adopted pursuant to subsection I of this section in developing and submitting budget requests for the universities under the board's jurisdiction.

K. On or before November 1 of each year, the Arizona board of regents shall submit to the joint legislative budget committee and the governor's office of strategic planning and budgeting a report on university debt and obligations, including:

1. Long-term notes and obligations.
2. Certificates of participation and other obligations pursuant to any lease-purchase agreements.

3. Revenue bonds.

4. Bonds issued pursuant to section 15-1682.03.

5. Commercial paper issued pursuant to section 15-1696.

L. The report submitted pursuant to subsection K of this section must contain, for the most recent fiscal year:

1. The aggregate level of outstanding principal and the principal and interest payments, by type of debt or obligation.

2. An itemization, by campus and project, of the amount of yearly principal and interest to be paid in the most recent and the next five fiscal years.

M. The Arizona board of regents may enter into an intergovernmental agreement pursuant to section 15-1747 to manage universities under the board's jurisdiction subject to the terms of the reciprocity agreement.

Ch. 133 { N. THE ARIZONA BOARD OF REGENTS MAY RETAIN MONIES FROM THE UNIVERSITIES UNDER THE BOARD'S JURISDICTION TO SUPPLEMENT THE BOARD'S OPERATING BUDGET. EXCEPT AS EXPRESSLY AUTHORIZED BY THE LEGISLATURE, THE TOTAL AMOUNT OF MONIES THAT THE BOARD RETAINS PURSUANT TO THIS SUBSECTION MAY NOT EXCEED \$5,000,000 IN ANY FISCAL YEAR. On or before November 1, ~~2025~~ and each year thereafter, the Arizona board of regents shall submit to the joint legislative budget committee each of the following for review:

1. The amount of monies that the board retained from each university under the board's jurisdiction to supplement the board's operating budget.

2. The board's expenditure plan for the current fiscal year for monies that the board retained from each university under the board's jurisdiction.

3. An accounting of how the board spent monies that the board retained from the universities under the board's jurisdiction in the immediately preceding fiscal year.

O. For the purposes of this section, "university debt and obligations" means debt and obligations, the principal and interest of which are paid in whole or in part with university monies.

Chs. 133
and 170

EXPLANATION OF BLEND
SECTION 16-934

Laws 2026, Chapters 7 and 260

Laws 2026, Ch. 7, section 2

Effective September 12, 2026

Laws 2026, Ch. 260, section 2

Effective June 22, 2026
(Retroactive to July 6, 2016)

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 7 and Ch. 260 text changes to section 16-934 are blended in the form shown on the following pages.

BLEND OF SECTION 16-934
Laws 2026, Chapters 7 and 260

16-934. Termination statement: filing: contents

A. A committee may terminate only when the committee treasurer files a termination statement with the filing officer with whom the committee's statement of organization was filed.

B. In the termination statement, the committee treasurer shall certify under penalty of perjury that ~~all~~ EITHER of the following ~~apply~~ APPLIES:

1. THE COMMITTEE RECEIVED NO CONTRIBUTIONS.

2. THE COMMITTEE RECEIVED CONTRIBUTIONS AND ALL OF THE FOLLOWING

APPLY:

~~1.~~ (a) The committee will no longer receive any contributions or make any disbursements.

~~2.~~ (b) The committee either:

~~(a)~~ (i) Has no outstanding debts, ~~or~~ obligations OR VOID PENALTIES PURSUANT TO SECTION 16-937, SUBSECTION B, PARAGRAPH 1.

~~(b)~~ (ii) Has outstanding debts or obligations, or both, that are all more than five years old, and that the committee's creditors have agreed to discharge the debts and obligations and have agreed to the termination of the committee.

~~3.~~ (c) Any surplus monies have been disposed of and that the committee has no cash on hand.

~~4.~~ (d) All contributions and expenditures have been reported, including any disposal of surplus monies.

C. A filing officer may reject the termination statement if it appears to the filing officer that the requirements in subsection B of this section have not been satisfied.

D. After a termination statement is filed, a committee:

1. Is not required to file any subsequent campaign finance reports.

2. Shall have no further receipts or disbursements without filing a new statement of organization.

E. A standing committee may terminate its activities in a particular reporting jurisdiction, and remain active in other reporting jurisdictions, by filing a statement of that intent with the filing officer in each reporting jurisdiction.

F. NOTWITHSTANDING ANY OTHER LAW, IF A DECEASED CANDIDATE WAS SERVING AS THE TREASURER FOR THAT CANDIDATE'S OWN CANDIDATE COMMITTEE, THE FOLLOWING INDIVIDUALS IN THE FOLLOWING ORDER OF PRIORITY ARE AUTHORIZED TO ACT AS THE TREASURER FOR THAT COMMITTEE FOR THE PURPOSES OF THIS SECTION AND SECTION 16-933 AFTER THE CANDIDATE'S DEATH UNLESS AN ALTERNATE TREASURER WAS PREVIOUSLY DESIGNATED BY THE DECEASED CANDIDATE:

Ch. 260

Ch. 7

Ch. 7

1. IF THE CANDIDATE PROVIDED FOR ALLOCATION OF AN UNEXPENDED BALANCE THROUGH A WILL OR TRUST, THE PERSONAL REPRESENTATIVE OF THE WILL OR THE TRUSTEE OF THE TRUST.
2. THE SURVIVING SPOUSE OF THE DECEASED CANDIDATE.
3. THE NEXT OF KIN OF THE DECEASED CANDIDATE.
4. AN INDIVIDUAL WHO IS APPOINTED BY THE COURT.
5. AN INDIVIDUAL WHO SERVES AS THE TREASURER PURSUANT TO SUBSECTION F OF THIS SECTION SHALL NOTE ON THE TERMINATION STATEMENT THAT THE CANDIDATE IS DECEASED AND SHALL PROVIDE THE FILING OFFICER WITH DOCUMENTATION THAT VERIFIES THE CANDIDATE'S DEATH.

EXPLANATION OF BLEND
SECTION 16-937

Laws 2026, Chapters 7 and 260

Laws 2026, Ch. 7, section 3

Effective September 12, 2026

Laws 2026, Ch. 260 , section 3

Effective June 22, 2026
(Retroactive to July 6, 2016)

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 7 and Ch. 260 text changes to section 16-937 are blended in the form shown on the following pages.

BLEND OF SECTION 16-937
Laws 2026, Chapters 7 and 260

16-937. Failure to file: penalties: notice: suspension: waiver

A. If a committee fails to timely file a complete report as prescribed by articles 1, 1.1, 1.2, 1.3, 1.4, 1.5 and 1.6 of this chapter, the filing officer shall send a written notice by ~~e-mail~~ EMAIL to the committee within five days after the filing deadline that identifies the late report, describes how fines accrue and identifies methods of payment.

Chs. 7
and 260

B. A committee that fails to timely file a report shall pay the filing officer a penalty of ~~ten dollars~~ \$10 for each day that the filing is late during the first fifteen days after the filing deadline and ~~twenty-five dollars~~ \$25 for each subsequent day that the filing is late. Penalties accrue until the late report is filed, EXCEPT THAT:

Ch. 260

1. PENALTIES SHALL NOT BE ASSESSED AND ANY ACCRUED PENALTIES ARE VOID IF THE COMMITTEE CERTIFIES THAT IT RECEIVED NO CONTRIBUTIONS AND MADE NO EXPENDITURES DURING THE REPORTING PERIOD TO WHICH THE UNTIMELY REPORT CORRESPONDS AND FILES A TERMINATION STATEMENT PURSUANT TO SECTION 16-934, SUBSECTION B.

2. BEGINNING JULY 1, 2026, THE MAXIMUM AMOUNT OF PENALTIES THAT A COMMITTEE MAY ACCRUE FOR EACH LATE REPORT IS \$5,000.

C. If a committee fails to file a complete report within thirty days after the filing deadline and after providing notice pursuant to subsection A of this section, the filing officer may notify the appropriate enforcement officer prescribed in this article.

Chs. 7
and 260

D. For any political action committee or political party that fails to file three consecutive complete reports, the filing officer shall send - by ~~e-mail~~ EMAIL to the committee a notice of temporary suspension and the following apply:

1. On receipt, the committee's authority to operate in the jurisdiction is temporarily suspended.

2. The notice shall state that failure to comply with all filing and payment requirements within thirty days after the date of the notice shall result in permanent suspension of the committee's authority to operate in that jurisdiction.

Chs. 7
and 260

E. After compliance with subsection D of this section, the filing officer may permanently suspend the committee and shall notify the committee - by ~~e-mail~~ EMAIL and is not required to provide any further notice. Permanent or temporary suspension does not eliminate a committee's continuing obligation to file reports and pay any outstanding and accruing penalties provided by law.

Ch. 260

F. FOR A COMMITTEE THAT FILES A TERMINATION STATEMENT AS PRESCRIBED BY SECTION 16-934, SUBSECTION B, PARAGRAPH 1 THAT STATES THAT THE COMMITTEE RECEIVED NO CONTRIBUTIONS, THE FOLLOWING APPLY:

1. PENALTIES MAY NOT BE ASSESSED AGAINST AND MAY NOT ACCRUE AGAINST THE COMMITTEE.

2. ANY PENALTIES THAT ARE ASSESSED OR THAT ACCRUE AGAINST A COMMITTEE THAT SUBSEQUENTLY FILES A TERMINATION STATEMENT PURSUANT TO SECTION 16-934, SUBSECTION B, PARAGRAPH 1 ARE DEEMED VOID RETROACTIVELY.

3. FOR ANY ENFORCEMENT ACTION INITIATED BY THE ENFORCEMENT OFFICER AGAINST A COMMITTEE THAT SUBSEQUENTLY FILES A TERMINATION STATEMENT PURSUANT TO SECTION 16-934, SUBSECTION B, PARAGRAPH 1, THE ENFORCEMENT OFFICER IS DEEMED WITHOUT JURISDICTION AND IF THE MATTER IS BEFORE A COURT, THE COURT SHALL DISMISS THE MATTER PROMPTLY.

Ch. 260

G. FOR A COMMITTEE THAT FILES A TERMINATION STATEMENT PURSUANT TO SECTION 16-934, SUBSECTION B, PARAGRAPH 2 AND THAT HAS ACCRUED PENALTIES FOR UNTIMELY REPORTS CORRESPONDING TO REPORTING PERIODS DURING WHICH THE COMMITTEE RECEIVED NO CONTRIBUTIONS AND MADE NO EXPENDITURES, THE FOLLOWING APPLY:

1. PENALTIES MAY NOT BE ASSESSED AGAINST AND MAY NOT ACCRUE AGAINST THE COMMITTEE IN CONNECTION WITH THOSE REPORTS.

2. ANY PENALTIES THAT ARE ASSESSED OR THAT ACCRUE AGAINST THE COMMITTEE IN CONNECTION WITH THOSE REPORTS ARE DEEMED VOID RETROACTIVELY.

3. FOR ANY ENFORCEMENT ACTION INITIATED BY THE ENFORCEMENT OFFICER AGAINST THE COMMITTEE IN CONNECTION WITH THOSE REPORTS, THE ENFORCEMENT OFFICER IS DEEMED WITHOUT JURISDICTION AND IF THE MATTER IS BEFORE A COURT, THE COURT SHALL DISMISS THE MATTER PROMPTLY.

Ch. 7

H. ON COMPLIANCE WITH SECTION 16-934, A FILING OFFICER MAY WAIVE ANY PENALTIES ACCRUED UNDER THIS SECTION FROM A CANDIDATE COMMITTEE'S FAILURE TO FILE A REPORT IF THE REPORT WAS DUE AFTER THAT CANDIDATE'S DEATH.

EXPLANATION OF BLEND
SECTION 23-1046

Laws 2026, Chapters 145 and 146

Laws 2026, Ch. 145, section 1

Effective September 12, 2026

Laws 2026, Ch. 146, section 1

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 145 and Ch. 146 text changes to section 23-1046 are blended in the form shown on the following pages.

BLEND OF SECTION 23-1046
Laws 2026, Chapters 145 and 146

23-1046. Death benefits: definition

A. In case of an injury causing death, the compensation therefor shall be known as a death benefit and shall be payable in the amount, for the period, and to and for the benefit of the following:

1. Burial expenses, ~~OF not to exceed five thousand dollars~~ MORE THAN ~~[\$10,000]~~, in addition to the compensation.

Ch. 145

2. To the surviving spouse, if there are no children, sixty-six and two-thirds ~~per cent~~ PERCENT of the average monthly wage of the deceased, to be paid until such spouse's death or remarriage, with two years' compensation in one sum ~~upon~~ ON remarriage. To the surviving spouse if there are surviving children, thirty-five ~~per cent~~ PERCENT of the average monthly wage of the deceased, to be paid until such spouse's death or remarriage with two years' compensation in one sum ~~upon~~ ON remarriage, and to the surviving children, an additional thirty-one and two-thirds ~~per cent~~ PERCENT of the average monthly wage, to be divided equally among them until ~~the age of~~ eighteen years OF AGE, until ~~the age of~~ twenty-two years OF AGE if the child is enrolled as a full-time student in any accredited educational institution, or if over eighteen years OF AGE and incapable of self-support when the child becomes capable of self-support. When all surviving children are no longer eligible for benefits, the surviving spouse's benefits shall be paid as if there were no children. In the event of the subsequent death or remarriage of the surviving spouse, the surviving child's or children's benefits shall be computed pursuant to paragraph ~~[3]~~ 4] OF THIS SUBSECTION.

Ch. 146

3. TO THE SURVIVING SPOUSE OF A FIRST RESPONDER, IF THERE ARE NO CHILDREN, SIXTY-SIX AND TWO-THIRDS PERCENT OF THE AVERAGE MONTHLY WAGE OF THE DECEASED, TO BE PAID UNTIL THE SPOUSE'S DEATH. TO THE SURVIVING SPOUSE IF THERE ARE SURVIVING CHILDREN, THIRTY-FIVE PERCENT OF THE AVERAGE MONTHLY WAGE OF THE DECEASED, TO BE PAID UNTIL THE SPOUSE'S DEATH AND TO THE SURVIVING CHILDREN, AN ADDITIONAL THIRTY-ONE AND TWO-THIRDS PERCENT OF THE AVERAGE MONTHLY WAGE, TO BE DIVIDED EQUALLY AMONG THE SURVIVING CHILDREN UNTIL EIGHTEEN YEARS OF AGE, UNTIL TWENTY-TWO YEARS OF AGE IF THE CHILD IS ENROLLED AS A FULL-TIME STUDENT IN ANY ACCREDITED EDUCATIONAL INSTITUTION, OR IF OVER EIGHTEEN YEARS OF AGE AND INCAPABLE OF SELF-SUPPORT WHEN THE CHILD BECOMES CAPABLE OF SELF-SUPPORT. WHEN ALL SURVIVING CHILDREN ARE NO LONGER ELIGIBLE FOR BENEFITS, THE SURVIVING SPOUSE'S BENEFITS SHALL BE PAID AS IF THERE WERE NO CHILDREN. IN THE EVENT OF THE SUBSEQUENT DEATH OF THE SURVIVING SPOUSE, THE SURVIVING CHILD'S OR CHILDREN'S BENEFITS SHALL BE COMPUTED PURSUANT TO PARAGRAPH 5 OF THIS SUBSECTION.

Chs. 145
and 146

Ch. 146

Chs. 145
and 146

~~3.~~ 4. To a single surviving child, in the case of the subsequent death or remarriage of a surviving husband or wife, or if there is no surviving husband or wife, sixty-six and two-thirds ~~per cent~~ PERCENT of the average monthly wage of the deceased, or if there is more than one surviving child, sixty-six and two-thirds ~~per cent~~ PERCENT to be divided equally among the surviving children. Compensation to any such child shall cease ~~upon~~ ON death, ~~upon~~ ON marriage or ~~upon~~ ON reaching ~~the age of~~ eighteen years OF AGE, except, if over eighteen years OF AGE and incapable of self-support, when ~~he~~ THE CHILD becomes capable of self-support, or if over eighteen years of age and enrolled as a full-time student in any accredited educational institution, when the child reaches ~~age~~ twenty-two YEARS OF AGE.

Ch. 146

5. TO A SINGLE SURVIVING CHILD OF A FIRST RESPONDER, IN THE CASE OF THE SUBSEQUENT DEATH OF THE SURVIVING HUSBAND OR WIFE, OR IF THERE IS NO SURVIVING HUSBAND OR WIFE, SIXTY-SIX AND TWO-THIRDS PERCENT OF THE AVERAGE MONTHLY WAGE OF THE DECEASED, OR IF THERE IS MORE THAN ONE SURVIVING CHILD, SIXTY-SIX AND TWO-THIRDS PERCENT TO BE DIVIDED EQUALLY AMONG THE SURVIVING CHILDREN. COMPENSATION TO ANY SUCH CHILD SHALL CEASE ON DEATH, ON MARRIAGE OR ON REACHING EIGHTEEN YEARS OF AGE, EXCEPT, IF OVER EIGHTEEN YEARS OF AGE AND INCAPABLE OF SELF-SUPPORT, WHEN THE CHILD BECOMES CAPABLE OF SELF-SUPPORT, OR IF OVER EIGHTEEN YEARS OF AGE AND ENROLLED AS A FULL-TIME STUDENT IN ANY ACCREDITED EDUCATIONAL INSTITUTION, WHEN THE CHILD REACHES TWENTY-TWO YEARS OF AGE.

~~4.~~ 6. To a parent, if there is no surviving husband, wife or child under ~~the age of~~ eighteen years OF AGE, if wholly dependent for support ~~upon~~ ON the deceased employee at the time of ~~his~~ THE EMPLOYEE'S death, twenty-five ~~per cent~~ PERCENT of the average monthly wage of the deceased during dependency, with an added allowance of fifteen ~~per cent~~ PERCENT if two dependent parents survive, and, if neither parent is wholly dependent, but one or both partly dependent, fifteen ~~per cent~~ PERCENT divided between them share and share alike.

~~5.~~ 7. To brothers or sisters under ~~the age of~~ eighteen years OF AGE, if there is no surviving husband or wife, dependent children under ~~the age of~~ eighteen years OF AGE or dependent parent, the following shall govern:

(a) If one of the brothers or sisters is wholly dependent ~~upon~~ ON the deceased employee for support at the time of injury causing death, twenty-five ~~per cent~~ PERCENT of the average monthly wage until ~~the age of~~ eighteen years OF AGE.

(b) If more than one brother or sister is wholly dependent, thirty-five ~~per cent~~ PERCENT of the average monthly wage at the time of injury causing death, divided among such dependents share and share alike.

(c) If none of the brothers or sisters is wholly dependent, but one or more are partly dependent, fifteen ~~per cent~~ PERCENT divided among such dependents share and share alike.

B. If the deceased employee leaves dependents only partially dependent ~~upon his~~ ON THE DECEASED EMPLOYEE'S earnings for support at the time of the injury, the monthly compensation shall be equal to such proportion of the monthly payments for the benefit of persons totally dependent as the amount contributed by the employee to such partial dependents bears to the average wage of the deceased at the time of the injury resulting in ~~his~~ [ON] THE EMPLOYEE'S death. The duration of

Chs. 145
and 146

Ch.
146

Chs. 145
and 146

compensation to partial dependents shall be fixed by the commission in accordance with the facts shown, and in accordance with ~~the provisions of~~ section 23-1047, but ~~shall in no case~~ MAY NOT exceed compensation for one hundred months.

C. In the event of death of a dependent before expiration of the time named in the award, the funeral expenses of such person, OF not ~~to exceed eight hundred dollars~~ MORE THAN \$800, shall be paid.

Ch. 146

D. FOR THE PURPOSES OF THIS SECTION, "FIRST RESPONDER":

1. MEANS A PEACE OFFICER, A FIREFIGHTER OR A PARAMEDIC AS DEFINED IN SECTION 36-2201.

2. INCLUDES A PERSON WHO IS A VOLUNTEER FIRST RESPONDER AND WHO IS OPERATING IN AN OFFICIAL CAPACITY ON BEHALF OF A GOVERNMENTAL ENTITY THAT IS INVOLVED IN AN EMERGENCY OR LAW ENFORCEMENT RESPONSE.

EXPLANATION OF BLEND
SECTION 28-2351

Laws 2026, Chapters 13 and 232

Laws 2026, Ch. 13, section 1

Effective September 12, 2026

Laws 2026, Ch. 232, section 4

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 13 and Ch. 232 text changes to section 28-2351 are blended in the form shown on the following page.

BLEND OF SECTION 28-2351
Laws 2026, Chapters 13 and 232

28-2351. License plate provided; design

A. Notwithstanding any other law, the department shall provide to every owner one license plate for each vehicle registered. At the request of the owner and on payment of a fee in an amount prescribed by the director by rule, the department shall provide one additional license plate for a vehicle for which a special plate is requested pursuant to this chapter.

B. The license plate shall display the number assigned to the vehicle and to the owner of the vehicle and the name of this state, which may be abbreviated. The director shall coat the license plate with a reflective material that is consistent with the determination of the department regarding the color and design of license plates and special plates. The director shall design the license plate and the letters and numerals on the license plate to be of sufficient size to be plainly readable during daylight from a distance of one hundred feet. In addition to the standard license plate issued for a trailer before August 12, 2005, the director shall issue a license plate for trailers that has a design that is similar to the standard size license plate for trailers but that is the same size as the license plate for motorcycles. The trailer owner shall notify the department which size license plate the owner wants for the trailer.

C. In addition to the requirements prescribed in subsection B of this section, for all license plates, including all special plates, that are designed or redesigned on or after September 24, 2022:

1. The background color of the license plate shall contrast significantly with the color of the letters and numerals on the license plate and with the name of this state on the license plate.

2. The name of this state shall appear on the license plate in capital letters in sans serif font and be three-fourths of an inch in height.

D. Notwithstanding any other law, the department shall not contract with a nongovernmental entity to purchase or secure reflective material for the plates issued by the department unless the department has made a reasonable effort to secure qualified bids or proposals from as many individual responsible respondents as possible.

E. The department shall determine the color and design of the license plate subject to the requirements prescribed by subsections B and C of this section. All plates issued by the department, except the plates that are issued pursuant to sections 28-2404, 28-2412, 28-2413, 28-2414, 28-2416, 28-2416.01, 28-2417 through ~~28-2470.39~~ 28-2470.61, 28-2472, 28-2473, 28-2474, 28-2475, 28-2476, 28-2477, 28-2478 and 28-4533 and article 14 of this chapter, shall be the same color as and similar in design to the license plate as determined by the department.

F. A passenger motor vehicle that is rented without a driver shall receive the same type of license plate as is issued for a private passenger motor vehicle.

Chs. 13
and 232

Ch. 232

EXPLANATION OF BLEND
SECTION 28-2403

Laws 2026, Chapters 13 and 232

Laws 2026, Ch. 13, section 2

Effective September 12, 2026

Laws 2026, Ch. 232, section 5

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 13 and Ch. 232 text changes to section 28-2403 are blended in the form shown on the following pages.

BLEND OF SECTION 28-2403
Laws 2026, Chapters 13 and 232

28-2403. Special plates: transfers: violation: classification

A. Except as otherwise provided in this article, the department shall issue or renew special plates in lieu of the regular license plates pursuant to the following conditions and procedures and only if the requirements prescribed by this article for the requested special plates are met:

1. Except as provided in sections 28-2416 and 28-2416.01, a person who is the registered owner of a vehicle registered with the department or who applies for an original or renewal registration of a vehicle may submit to the department a completed application form as prescribed by the department with the fee prescribed by section 28-2402 for special plates in addition to the registration fee prescribed by section 28-2003.

Ch. 232 — 2. Except for plates issued pursuant to sections 28-2404, 28-2412, 28-2413, 28-2414, 28-2416, 28-2416.01, 28-2417 through ~~[28-2470.39 28-2470.61]~~, 28-2472, 28-2473, 28-2474, 28-2475, ~~and~~ 28-2476, ~~28-2477 AND 28-2478~~ and article 14 of this chapter, the special plates shall be the same color as and similar to the design of the regular license plates that is determined by the department.

Chs. 13
and 232

3. Except as provided in section 28-2416, the department shall issue special plates only to the owner or lessee of a vehicle that is currently registered, including any vehicle that has a declared gross weight, as defined in section 28-5431, of twenty-six thousand pounds or less.

4. Except as provided in sections 28-2416 and 28-2416.01, the department shall charge the fee prescribed by section 28-2402 for each annual renewal of special plates in addition to the registration fee prescribed by section 28-2003.

B. Except as provided in sections 28-2416 and 28-2416.01, on notification to the department and on payment of the transfer fee prescribed by section 28-2402, a person who is issued special plates may transfer the special plates to another vehicle the person owns or leases. Persons who are issued special plates for hearing impaired persons pursuant to section 28-2408 and international symbol of access special plates pursuant to section 28-2409 are exempt from the transfer fee. If a person who is issued special plates sells, trades or otherwise releases ownership of the vehicle on which the plates have been displayed, the person shall immediately report the transfer of the plates to the department or the person shall surrender the plates to the department as prescribed by the director. It is unlawful for a person to whom the plates have been issued to knowingly allow them to be displayed on a vehicle except the vehicle authorized by the department.

C. The special plates shall be affixed to the vehicle for which registration is sought in lieu of the regular license plates.

D. A person is guilty of a class 3 misdemeanor who:

1. Violates subsection B of this section.

2. Fraudulently gives false or fictitious information in the application for or renewal of special plates or placards issued pursuant to this article.

3. Conceals a material fact or otherwise commits fraud in the application for or renewal of special plates or placards issued pursuant to this article.

EXPLANATION OF BLEND
SECTION 28-3319

Laws 2026, Chapters 99 and 232

Laws 2026, Ch. 99, section 6

Effective September 12, 2026

Laws 2026, Ch. 232, section 13

Effective September 12, 2026

Explanation

Since these two enactments are identical, the Laws 2026, Ch. 99 and Ch. 232 text changes to section 28-3319 are blended in the form shown on the following pages.

BLEND OF SECTION 28-3319
Laws 2026, Chapters 99 and 232

28-3319. Action after license suspension, revocation or denial
for driving under the influence or refusal of test;
ignition interlock device requirement; definitions

A. If, pursuant to section 28-1321, 28-1381, 28-1382, 28-1383, 28-3320 or 28-3322, the license of a driver or the driving privilege of a nonresident is suspended or revoked, the department shall not terminate the suspension or revocation or issue a special ignition interlock restricted driver license, if applicable, pursuant to chapter 4, article 3.1 of this title until the person provides proof of financial responsibility pursuant to chapter 9, article 3 of this title.

B. If, pursuant to section 28-1321, 28-1381, 28-1382, 28-1383, 28-3320 or 28-3322, an unlicensed resident is denied a license or permit to operate a motor vehicle, the department shall not issue a license or permit until the person provides proof of financial responsibility pursuant to chapter 9, article 3 of this title.

C. If a person whose license or driving privilege is suspended or revoked pursuant to section 28-1321, 28-1381, 28-1382, 28-1383 or 28-1385 is ordered, pursuant to section 28-1381, 28-1382, 28-1383 or 28-1385, to attend alcohol or other drug screening, education or treatment **OR EVIDENCE-BASED PSYCHOTHERAPY**, the department shall not either:

1. Terminate the suspension or issue a special ignition interlock restricted driver license, if applicable, pursuant to chapter 4, article 3.1 of this title until the person or licensed treatment facility provides proof that the person has completed or is participating satisfactorily in alcohol or other drug screening, education or treatment **OR EVIDENCE-BASED PSYCHOTHERAPY**.

2. Issue a new license or a special ignition interlock restricted driver license, if applicable, pursuant to chapter 4, article 3.1 of this title to operate a motor vehicle after the revocation until the person or licensed treatment facility provides proof that the person has completed **OR IS SATISFACTORILY PARTICIPATING IN** the court-ordered program.

D. Except as provided in subsection E of this section, on receipt of a report of conviction from a court for a violation that involved intoxicating liquor or that specifically requires the installation of a certified ignition interlock device, the department shall require any motor vehicle the convicted person operates to be equipped with a functioning certified ignition interlock device and the convicted person to meet the requirements prescribed in section 28-1461 as follows:

1. For twelve months if:

(a) Except as provided in subsection ~~G~~ **H** of this section, the person is convicted of a violation of section 28-1381, section 28-1382,

Chs. 99
and 232

Chs. 99
and 232

subsection A, paragraph 1 or section 28-1383, subsection A, paragraph 3, subdivision (a).

(b) The department determines that within a period of eighty-four months the person is convicted of a second or subsequent violation of section 28-1381 or section 28-1382, subsection A, paragraph 1 with a prior conviction of a violation of section 28-1381, 28-1382 or 28-1383 or an act in another jurisdiction that if committed in this state would be a violation of section 28-1381, 28-1382 or 28-1383.

2. For eighteen months if the person is convicted of a violation of section 28-1382, subsection A, paragraph 2.

3. For twenty-four months if:

(a) The person is convicted of a violation of section 28-1382, subsection A, paragraph 2 and the department determines that within a period of eighty-four months the person has a prior conviction of a violation of section 28-1381, 28-1382 or 28-1383 or an act in another jurisdiction that if committed in this state would be a violation of section 28-1381, 28-1382 or 28-1383.

(b) The person is convicted of a violation of section 28-1383, subsection A, paragraph 1, 2, 4 or 5 or paragraph 3, subdivision (b).

E. If a person is required to equip a motor vehicle with a certified ignition interlock device pursuant to subsection D of this section and the person has a medical condition that prevents the person from using the certified ignition interlock device during the entire time period required by subsection D of this section, the department OF TRANSPORTATION shall require monthly alcohol and drug screening instead of the certified ignition interlock device for the time period prescribed by subsection D of this section. The department OF TRANSPORTATION shall require evidence of the medical condition that is satisfactory to the department OF TRANSPORTATION and in a manner prescribed by the department OF TRANSPORTATION from an authorized physician as defined in section 28-2409 or an authorized physician assistant as defined in section 28-2409. The alcohol or drug screening shall be provided by a facility approved by the department of health services, the United States department of veterans affairs, a substance abuse counselor as defined in section 28-3005 or a probation department.

F. The requirement prescribed in subsection D of this section begins on the date the person successfully completes the alcohol or other drug screening, education or treatment program OR EVIDENCE-BASED PSYCHOTHERAPY requirements of this title and the person is otherwise eligible to reinstate the person's driver license or driving privilege. If the person is issued a special ignition interlock restricted driver license for the violations giving rise to the requirements prescribed in subsection D of this section or pursuant to section 28-1321, subsection P or section 28-1385, subsection J, the person shall be credited for the amount of time that a certified ignition interlock device is installed on the person's motor vehicle after the department authorizes the installation of the certified ignition interlock device on that person's motor vehicle.

G. A person who is required to equip a motor vehicle with a certified ignition interlock device pursuant to this section shall comply with chapter 4, article 5 of this title.

Chs. 99
and 232

H. The department shall defer the remainder of the time period prescribed in subsection D, paragraph 1, subdivision (a) of this section commencing with the later of six months from the date the interlock was installed or the completion of the requirements of this subsection if all of the following apply:

1. The person is sentenced pursuant to section 28-1381, subsection I.
2. The person successfully completes an alcohol education program consisting of at least sixteen hours pursuant to section 28-1381.

3. The person has maintained a functioning ignition interlock device on all motor vehicles the person operates and has met the requirements of section 28-1461.

4. The person has not attempted to operate a vehicle with an alcohol concentration of 0.08 or more two or more times during the period of license restriction or limitation.

5. At the time of the offense, the person was not involved in a motor vehicle accident that resulted in physical injury or property damage.

6. All necessary compliance information has been provided to the department by the ignition interlock device provider, the alcohol screening program and the alcohol education program.

I. The deferment pursuant to subsection H of this section is permanent, unless the person is arrested for a violation of section 28-1381, 28-1382 or 28-1383 that occurs during the period of the deferment. If the person is arrested as described in this subsection, the department shall revoke the deferment and require the person to complete the remainder of the time period prescribed in subsection D, paragraph 1, subdivision (a) of this section.

J. Notwithstanding any other law, the department shall reduce the length of time that a person is required to have a functioning certified ignition interlock device installed in a motor vehicle pursuant to subsection D of this section by the length of time that the person is incarcerated in a jail or prison facility for a violation of section 28-1381 or 28-1383 that did not involve intoxicating liquor.

K. For the purposes of this section: ~~—~~

1. "Certified ignition interlock device" has the same meaning prescribed in section 28-1301.

2. "EVIDENCE-BASED PSYCHOTHERAPY" HAS THE SAME MEANING PRESCRIBED IN SECTION 28-1381.

Chs. 99
and 232

EXPLANATION OF BLEND
SECTION 28-6501

Laws 2026, Chapters 13 and 232

Laws 2026, Ch. 13, section 4

Effective September 12, 2026

Laws 2026, Ch. 232, section 19

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 13 and Ch. 232 text changes to section 28-6501 are blended in the form shown on the following page.

BLEND OF SECTION 28-6501
Laws 2026, Chapters 13 and 232

28-6501. Definition of highway user revenues

In this article, unless the context otherwise requires or except as otherwise provided by statute, "highway user revenues" means all monies received in this state from licenses, taxes, penalties, interest and fees authorized by the following:

1. Chapters 2, 7, 8 and 15 of this title, except for:

(a) The special plate administration fees prescribed in sections 28-2404, 28-2407, 28-2412 through ~~28-2470.39~~ 28-2470.61 and 28-2514.

(b) The donations prescribed in sections 28-2404, 28-2407, 28-2412 through 28-2415, 28-2417 through ~~28-2470.39~~ 28-2470.61, 28-2473, 28-2474, 28-2475, ~~and~~ 28-2476, 28-2477 AND 28-2478.

2. Section 28-1177.

3. Chapters 10 and 11 of this title.

4. Chapter 16, articles 1, 2 and 4 of this title, except as provided in sections 28-5926 and 28-5927.

Chs. 13
and 232

Ch. 232

EXPLANATION OF BLEND
SECTION 28-6991

Laws 2026, Chapters 13 and 232

Laws 2026, Ch. 13, section 5

Effective September 12, 2026

Laws 2026, Ch. 232, section 20

Effective September 12, 2026

Explanation

Since these two enactments are identical, the Laws 2026, Ch. 13 and Ch. 232 text changes to section 28-6991 are blended in the form shown on the following pages.

BLEND OF SECTION 28-6991
Laws 2026, Chapters 13 and 232

28-6991. State highway fund; sources

The state highway fund is established that consists of:

1. Monies distributed from the Arizona highway user revenue fund pursuant to chapter 18 of this title.

2. Monies appropriated by the legislature.

3. Monies received from donations for the construction, improvement or maintenance of state highways or bridges. These monies shall be credited to a special account and shall be spent only for the purpose indicated by the donor.

4. Monies received from counties or cities under cooperative agreements, including proceeds from bond issues. The state treasurer shall deposit these monies to the credit of the fund in a special account on delivery to the treasurer of a concise written agreement between the department and the county or city stating the purposes for which the monies are surrendered by the county or city, and these monies shall be spent only as stated in the agreement.

5. Monies received from the United States under an act of Congress to provide aid for the construction of rural post roads, but monies received on projects for which the monies necessary to be provided by this state are wholly derived from sources mentioned in paragraphs 2 and 3 of this section shall be allotted by the department and deposited by the state treasurer in the special account within the fund established for each project. On completion of the project, on the satisfaction and discharge in full of all obligations of any kind created and on request of the department, the treasurer shall transfer the unexpended balance in the special account for the project into the state highway fund, and the unexpended balance and any further federal aid thereafter received on account of the project may be spent under the general provisions of this title.

6. Monies in the custody of an officer or agent of this state from any source that is to be used for the construction, improvement or maintenance of state highways or bridges.

7. Monies deposited in the state general fund and arising from the disposal of state personal property belonging to the department.

8. Receipts from the sale or disposal of any or all other property held by the department and purchased with state highway monies.

9. Monies generated pursuant to section 28-410.

10. Monies distributed pursuant to section 28-5808, subsection B, paragraph 2, subdivision (d).

11. Monies deposited pursuant to sections 28-1143, 28-2353 and 28-3003.

12. Except as provided in section 28-5101, the following monies:

(a) Monies deposited pursuant to section 28-2206 and section 28-5808, subsection B, paragraph 2, subdivision (e).

(b) \$1 of each registration fee and \$1 of each title fee collected pursuant to section 28-2003.

(c) \$2 of each late registration penalty collected by the director pursuant to section 28-2162.

(d) The air quality compliance fee collected pursuant to section 49-542.

(e) The special plate administration fees collected pursuant to sections 28-2404, 28-2407, 28-2412 through 28-2416, 28-2416.01, 28-2417 through ~~28-2470.39~~ 28-2470.61 and 28-2514.

(f) Monies collected pursuant to sections 28-372, 28-2155 and 28-2156 if the director is the registering officer.

13. Monies deposited pursuant to chapter 5, article 5 of this title.

14. Donations received pursuant to section 28-2269.

15. Dealer and registration monies collected pursuant to section 28-4304.

16. Abandoned vehicle administration monies deposited pursuant to section 28-4804.

17. Monies deposited pursuant to section 28-710, subsection D, paragraph 2.

18. Monies deposited pursuant to section 28-2065.

19. Monies deposited pursuant to section 28-7311.

20. Monies deposited pursuant to section 28-7059.

21. Monies deposited pursuant to section 28-1105.

22. Monies deposited pursuant to section 28-2448, subsection D.

23. Monies deposited pursuant to section 28-3415.

24. Monies deposited pursuant to section 28-3002, subsection A, paragraph 14.

25. Monies deposited pursuant to section 28-7316.

26. Monies deposited pursuant to section 28-4302.

27. Monies deposited pursuant to section 28-3416.

28. Monies deposited pursuant to section 28-4504.

29. Monies deposited pursuant to section 28-2098.

30. Monies deposited pursuant to sections 28-2321, 28-2324, 28-2325, 28-5474, 28-5739, 28-5863 and 28-5864.

EXPLANATION OF BLEND
SECTION 28-6993

Laws 2026, Chapters 13 and 232

Laws 2026, Ch. 13, section 6

Effective September 12, 2026

Laws 2026, Ch. 232, section 21

Effective September 12, 2026

Explanation

Since these two enactments are identical, the Laws 2026, Ch. 13 and Ch. 232 text changes to section 28-6993 are blended in the form shown on the following pages.

BLEND OF SECTION 28-6993
Laws 2026, Chapters 13 and 232

28-6993. State highway fund; authorized uses

A. Except as provided in subsection B of this section and section 28-6538, the state highway fund shall be used for any of the following purposes in strict conformity with and subject to the budget as provided by this section and by sections 28-6997 through 28-7003:

1. To pay salaries, wages, necessary travel expenses and other expenses of officers and employees of the department and the incidental office expenses, including telegraph, telephone, postal and express charges and printing, stationery and advertising expenses.

2. To pay for both:

(a) Equipment, supplies, machines, tools, department offices and laboratories established by the department.

(b) The construction and repair of buildings or yards of the department.

3. To pay the cost of both:

(a) Engineering, construction, improvement and maintenance of state highways and parts of highways forming state routes.

(b) Highways under cooperative agreements with the United States that are entered into pursuant to this chapter and an act of Congress providing for the construction of rural post roads.

4. To pay land damages incurred by reason of establishing, opening, altering, relocating, widening or abandoning portions of a state route or state highway.

5. To reimburse the department revolving account.

6. To pay premiums on authorized indemnity bonds and on compensation insurance under the workers' compensation act.

7. To defray lawful expenses and costs required to administer and carry out the intent, purposes and provisions of this title, including repayment of obligations entered into pursuant to this title, payment of interest on obligations entered into pursuant to this title, repayment of loans and other financial assistance, including repayment of advances and interest on advances made to the department pursuant to section 28-7677, and payment of all other obligations and expenses of the board and department pursuant to chapter 21 of this title.

8. To pay lawful bills and charges incurred by the state engineer.

9. To acquire, construct or improve entry roads to state parks or roads within state parks.

10. To acquire, construct or improve entry roads to state prisons.

11. To pay the cost of relocating a utility facility pursuant to section 28-7156.

12. For the purposes provided in subsections C, D and E of this section and sections 28-1143, 28-2353 and 28-3003.

13. To pay the cost of issuing an Arizona centennial special plate pursuant to section 28-2448.

14. To pay for all of the following:

(a) The enforcement by the department of public safety and the department of transportation of vehicle safety requirements within twenty-five miles of the border between this state and Mexico.

(b) Costs related to procuring electronic equipment, automated systems or improvements to existing electronic equipment or automated systems for relieving vehicle congestion at ports of entry on the border between this state and Mexico.

(c) Constructing, maintaining and upgrading transportation facilities, including roads, streets and highways, approved by the board within twenty-five miles of the border between this state and Mexico.

(d) As approved by the board, constructing and maintaining transportation facilities in the CANAMEX high priority corridor as defined in section 332 of the national highway system designation act of 1995 (P.L. 104-59; 109 Stat. 568).

(e) Activities of the department that include collecting transportation and trade data in the United States and Mexico for the purposes of constructing transportation facilities, improving public safety, improving truck processing time and relieving congestion at ports of entry on the border between this state and Mexico. The department may enter into an agreement with the Arizona-Mexico commission and provide funding to the commission for the purposes of this subdivision.

(f) A commitment or investment necessary for the department or another agency of this state to obtain federal monies that are designated for expenditure pursuant to this section.

B. For each fiscal year, the department of transportation shall allocate and transfer monies in the state highway fund to the department of public safety for funding a portion of highway patrol costs in eight installments in each of the first eight months of a fiscal year that do not exceed \$10,000,000.

C. Subject to legislative appropriation, the department may use the monies in the state highway fund as prescribed in section 28-6991, paragraph 12 to carry out the duties imposed by this title for registration or titling of vehicles, to operate joint title, registration and driver licensing offices, to cover the administrative costs of issuing the air quality compliance sticker, modifying the year validating tab and issuing the windshield sticker and to cover expenses and costs in issuing special plates pursuant to sections 28-2404, 28-2407, 28-2412 through ~~28-2470.39~~ 28-2470.61 and 28-2514.

Chs. 13
and 232

D. The department shall use monies deposited in the state highway fund pursuant to chapter 5, article 5 of this title only as prescribed by that article.

E. Monies deposited in the state highway fund pursuant to section 28-2269 shall be used only as prescribed by that section.

F. Monies deposited in the state highway fund pursuant to section 28-710, subsection D, paragraph 2 shall only be used for state highway work zone traffic control devices.

G. The department may exchange monies distributed to the state highway fund pursuant to section 28-6538, subsection A, paragraph 1 for local government surface transportation program federal monies suballocated to councils of government and metropolitan planning organizations if the local government scheduled to receive the federal monies concurs. An exchange of state highway fund monies pursuant to this subsection shall be in an amount that is at least equal to ninety percent of the federal obligation authority that exists in the project for which the exchange is proposed.

H. The department shall use monies deposited in the state highway fund pursuant to section 28-1105, subsection A, paragraph 2, subdivision (a) only for a transportation facility that is located within twenty drivable miles of the international port of entry and shall spend the monies proportionally based on the amount of total monies collected pursuant to section 28-1105, subsection A, paragraph 2, subdivision (a). For the purposes of this subsection, "transportation facility" means a highway or a state route or a county, city or town road that is used by a commercial vehicle or a commercial vehicle combination for which an axle fee is paid pursuant to section 28-5474.

EXPLANATION OF BLEND
SECTION 31-281

Laws 2026, Chapters 96 and 130

Laws 2026, Ch. 96, section 1

Effective September 12, 2026

Laws 2026, Ch. 130, section 4

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 96 and Ch. 130 text changes to section 31-281 are blended in the form shown on the following pages.

BLEND OF SECTION 31-281
Laws 2026, Chapters 96 and 130

31-281. Transition program; report; definition

Chs. 96
and 130

A. The department shall establish a transition program that provides eligible inmates with transition services in the community for ~~up to~~ **NOT MORE THAN** ninety days. The department shall administer the transition program and contract with private or nonprofit entities to provide eligible inmates with transition services and shall procure transition services pursuant to title 41, chapter 23.

B. The director shall adopt rules to implement this article. The rules shall include:

1. Eligibility criteria for receiving a contracted entity's transition services. To be eligible, at a minimum, an inmate shall:

(a) Not have been convicted of a sexual offense pursuant to title 13, chapter 14 or a violation of title 13, chapter 17.

(b) Not have been convicted of a violent crime as defined in section 13-901.03, unless the inmate was convicted of assault, aggravated assault or robbery.

(c) Not have any felony detainers.

(d) Agree in writing to provide specific information after the inmate is released. The department shall use the information to prepare the report prescribed by subsection D, paragraph 3 of this section.

(e) Have made satisfactory progress by complying with all programming on the inmate's individualized corrections plan as determined by the department.

(f) Be classified by the department as minimum or medium custody as determined by an objective risk assessment.

(g) Not have been found in violation of any major violent rule during the inmate's current period of incarceration or in violation of any other major rule within the previous six months. For the purposes of this subdivision, an accumulation of minor rule violations does not equal a major rule violation.

2. A requirement that each contracted entity train mentors or certify that mentors are trained.

3. A requirement that the services offered to an inmate include psychoeducational counseling and case management services as determined by the department. The counseling and services may include substance abuse treatment, anger management, cognitive behavioral therapy, parenting skills and family reunification training, further education and job placement.

4. A requirement that an inmate may be released pursuant to this article only after the victim has been provided notice and an opportunity to be heard. The department shall provide notice to a victim who has provided a current address or other contact information. The notice shall inform the victim of the opportunity to be heard on the early release. Any

objection to the inmate's early release must be made within twenty days after the department has mailed the notice to the victim.

C. In awarding contracts under this section the department shall comply with section 41-3751.

D. The department shall:

1. Conduct an annual study to determine the recidivism rate of inmates who receive a contracted entity's services pursuant to this article. The study shall include the recidivism rate of inmates who have been released from incarceration for a minimum of three years after release.

2. Evaluate the inmate and provide the information to the contracted entity.

Ch. 130 { 3. Submit a written report to the governor, the president of the senate and the speaker of the house of representatives on or before ~~July 31~~ **NOVEMBER 30** of each year and provide a copy of this report to the secretary of state **AND THE DIRECTOR OF THE JOINT LEGISLATIVE BUDGET COMMITTEE**. The report may be submitted electronically. The report shall contain the following information:

(a) The recidivism rate of inmates who receive services pursuant to this article, including the recidivism rate of inmates who have been released from incarceration for a minimum of three years after release.

(b) The number of inmates who received services pursuant to this article.

(c) The number of inmates who were not provided services pursuant to this article and who were on a list waiting to receive services.

(d) The types of services provided.

(e) The number of inmates who received each type of service provided.

Ch. 130 { (f) **THE COST REDUCTIONS TO THE DEPARTMENT THAT ARE DIRECTED TO THE TRANSITION PROGRAM PURSUANT TO THIS ARTICLE. FOR THE PURPOSES OF THIS PARAGRAPH, THE REDUCTION RATE MAY NOT BE LESS THAN \$17 PER INMATE PER DAY.**

(g) **THE NUMBER OF PARTICIPANTS WHO DID NOT RECEIVE AN EARLY RELEASE UNDER THE TRANSITION PROGRAM.**

4. Provide information about the transition program to all inmates who are not serving a life sentence on admission to prison and to any inmate who is potentially eligible for the transition program six months before the inmate's eligibility date. The information must include all of the admission requirements to the transition program, including the disqualifying factors under this section.

E. Notwithstanding subsection B, paragraph 1 of this section, if an inmate agrees to comply with any condition that is established and required by section 41-1604.07, subsection F, has been convicted of the possession or use of marijuana pursuant to section 13-3405, subsection A, paragraph 1, possession or use of a dangerous drug pursuant to section 13-3407, subsection A, paragraph 1, possession or use of a narcotic drug pursuant to section 13-3408, subsection A, paragraph 1 or possession or use of drug paraphernalia pursuant to section 13-3415, subsection A and is not concurrently serving another sentence for an offense that is not listed in this subsection, the inmate is eligible for and shall be released to enter the transition program. The director may not exclude an inmate who is eligible for the transition program pursuant to this subsection because the inmate does not have a place

to reside before being released, except that the director shall exclude an inmate who has any of the following:

1. Previously been convicted of a violent crime as defined in section 13-901.03 or an offense listed in title 13, chapter 14 or 35.1.

2. A felony detainer.

3. Been found to be in violation of a major violent rule during the inmate's current period of incarceration or to be in violation of any other major rule within the previous six months. For the purposes of this paragraph, an accumulation of minor rule violations does not equal a major rule violation.

4. Previously been released pursuant to this section and violated a term of the inmate's release.

5. Failed to achieve functional literacy as required by section 41-1604.07, subsection F, unless the inmate is enrolled in a program that prepares the inmate to achieve functional literacy.

6. Been classified by the department as close or maximum custody as determined by a current and objective risk assessment.

7. Refused enrollment in or been removed for poor behavior from a major self-improvement program within the previous eighteen months unless the inmate has subsequently enrolled in and completed the major self-improvement program.

F. NOTWITHSTANDING SUBSECTION A OF THIS SECTION, THE DEPARTMENT MAY GRANT A ONETIME EXTENSION OF UP TO AN ADDITIONAL NINETY DAYS FOR AN ELIGIBLE INMATE TO CONTINUE RECEIVING TRANSITION SERVICES IF ALL OF THE FOLLOWING APPLY:

1. THE DEPARTMENT DETERMINES THAT THE INMATE WILL NEED ADDITIONAL TREATMENT OR INTERVENTION TO ADEQUATELY ADDRESS THE INMATE'S SPECIFIC CRIMINOGENIC NEEDS.

2. THE CONTRACTED ENTITY THAT IS PROVIDING THE INMATE'S TRANSITION SERVICES USES AN EMPIRICALLY VALIDATED, PEER-REVIEWED INSTRUMENT TO EVALUATE THE INMATE'S RISK OF RECIDIVISM AND IDENTIFIES THE INMATE'S PRIMARY CRIMINOGENIC FACTORS.

3. THE CONTRACTED ENTITY THAT EVALUATES THE INMATE PURSUANT TO PARAGRAPH 2 OF THIS SUBSECTION SUBMITS AN UPDATED INDIVIDUALIZED SERVICE PLAN TO THE DEPARTMENT.

~~F.~~ G. For the purposes of this section, "recidivism" means reincarceration in the department for any reason.

Ch. 96

EXPLANATION OF BLEND
SECTION 32-1213

Laws 2026, Chapters 72 and 89

Laws 2026, Ch. 72, section 1

Effective September 12, 2026

Laws 2026, Ch. 89, section 1

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 72 and Ch. 89 text changes to section 32-1213 are blended in the form shown on the following pages.

BLEND OF SECTION 32-1213
Laws 2026, Chapters 72 and 89

32-1213. Business entities; registration; renewal; civil
penalty; exceptions; definitions

A. A business entity may not offer dental services pursuant to this chapter unless:

1. The business entity is registered with the board pursuant to this section.

2. The services are conducted by a licensee pursuant to this chapter.

B. The business entity must file a registration application on a form provided by the board. The application must include:

1. A description of the business entity's services offered to the public.

2. The name of any dentist who is authorized to provide and who is responsible for providing the dental services offered at each office.

3. The names and addresses of the officers and directors of the business entity.

4. The name of the business entity's custodian of records.

5. A registration fee prescribed by the board in rule.

C. A business entity must file a separate registration application and pay a fee for each branch office in this state.

D. A registration expires three years after the date the board issues the registration. A business entity that wishes to renew a registration must submit an application for renewal as prescribed by the board on a triennial basis on a form provided by the board before the expiration date. A business entity that fails to renew the registration before the expiration date is subject to a late fee as prescribed by the board by rule. The board may stagger the dates for renewal applications.

E. The business entity must notify the board in writing within thirty days after any change:

1. In the business entity's name, address or telephone number.

2. In the officers or directors of the business entity.

3. In the name of any dentist who is authorized to provide and who is responsible for providing the dental services in any facility.

4. IN the name of the business entity's custodian of records who will accept subpoenas and respond to patient records requests.

F. The business entity shall establish a written protocol for the secure storage, transfer and access of the dental records of the business entity's patients. This protocol must include, at a minimum, procedures for:

1. Notifying patients of the future locations of their records if the business entity terminates or sells the practice.

2. Disposing of unclaimed dental records.

3. The timely response to requests by patients for copies of their records.

G. The business entity must notify the board within thirty days after the dissolution of any registered business entity or the closing or relocation of any facility and must disclose to the board the business entity's procedure by which its patients may obtain their records.

H. The board may do any of the following pursuant to its disciplinary procedures if a business entity violates the board's statutes or rules:

1. Refuse to issue a registration.
2. Suspend or revoke a registration.
3. Impose a civil penalty of not more than \$2,000 for each violation.
4. Enter a decree of censure.

5. Issue an order prescribing a period and terms of probation that are best adapted to protect the public welfare and that may include a requirement for restitution to a patient for a violation of this chapter or rules adopted pursuant to this chapter.

6. Issue a letter of concern if a business entity's actions may cause the board to take disciplinary action.

I. The board shall deposit, pursuant to sections 35-146 and 35-147, civil penalties collected pursuant to this section in the state general fund.

Ch. 89 — J. EXCEPT AS PROVIDED IN SUBSECTION O OF THIS SECTION, this section does not apply to:

1. A sole proprietorship or partnership that consists exclusively of dentists who are licensed pursuant to this chapter.

2. Any of the following entities licensed under title 20:

- (a) A service corporation.
- (b) An insurer authorized to transact disability insurance.
- (c) A prepaid dental plan organization that does not provide directly for prepaid dental services.
- (d) A health care services organization that does not provide directly for dental services.

3. A professional corporation or professional limited liability company, the shares of which are exclusively owned by dentists who are licensed pursuant to this chapter and that is formed to engage in the practice of dentistry pursuant to title 10, chapter 20 or title 29 relating to professional limited liability companies.

4. A facility regulated by the federal government or a state, district or territory of the United States.

5. An administrator or executor of the estate of a deceased dentist or a person who is legally authorized to act for a dentist who has been adjudicated to be mentally incompetent for not more than one year after the date the board receives notice of the dentist's death or incapacitation pursuant to section 32-1270.

Ch. 72 { 6. A RECOGNIZED DENTAL SCHOOL, RECOGNIZED DENTAL THERAPY SCHOOL OR RECOGNIZED DENTAL HYGIENE SCHOOL.

K. A facility that offers dental services to the public by persons licensed under this chapter shall be registered by the board unless the facility is any of the following:

1. Owned by a dentist who is licensed pursuant to this chapter.

2. Regulated by the federal government or a state, district or territory of the United States.

Ch. 72 { 3. A RECOGNIZED DENTAL SCHOOL, RECOGNIZED DENTAL THERAPY SCHOOL OR RECOGNIZED DENTAL HYGIENE SCHOOL.

L. Except for issues relating to insurance coding and billing that require the name, signature and license number of the dentist providing treatment, this section does not:

1. Authorize a licensee in the course of providing dental services for a business entity registered pursuant to this section to disregard or interfere with a policy or practice established by the business entity for the operation and management of the business.

2. Authorize a business entity registered pursuant to this section to establish or enforce a business policy or practice that may interfere with the clinical judgment of the licensee in providing dental services for the business entity or may compromise a licensee's ability to comply with this chapter.

M. The board shall adopt rules that provide a method for the board to receive the assistance and advice of business entities licensed pursuant to this chapter in all matters relating to the regulation of business entities.

N. An individual currently holding a surrendered or revoked license to practice dentistry or dental hygiene in any state or jurisdiction in the United States may not have a majority ownership interest in the business entity registered pursuant to this section. Revocation and surrender of licensure shall be limited to disciplinary actions resulting in loss of license or surrender of license instead of disciplinary action. Dentists or dental hygienists affected by this subsection shall have one year after the surrender or revocation to divest themselves of their ownership interest. This subsection does not apply to publicly held companies. For the purposes of this subsection, "majority ownership interest" means an ownership interest greater than fifty percent.

O. A DENTAL INSURER OR A HOLDING COMPANY OF A DENTAL INSURER MAY NOT HAVE ANY OWNERSHIP INTEREST IN A BUSINESS ORGANIZATION THAT OFFERS TO THE PUBLIC PROFESSIONAL SERVICES REGULATED BY THE BOARD.

P. FOR THE PURPOSES OF THIS SECTION:

1. "DENTAL INSURER" HAS THE SAME MEANING PRESCRIBED IN SECTION 20-126.

2. "HOLDING COMPANY" MEANS A CORPORATION, FIRM, PARTNERSHIP, LIMITED PARTNERSHIP, LIMITED LIABILITY COMPANY, TRUST OR OTHER FORM OF BUSINESS ORGANIZATION THAT IS NOT AN INDIVIDUAL AND THAT DIRECTLY OR INDIRECTLY DOES EITHER OF THE FOLLOWING:

(a) HOLDS AN OWNERSHIP INTEREST OF TEN PERCENT OR MORE, AS DETERMINED BY THE HOLDING COMPANY'S BOARD, IN A DENTAL INSURER.

(b) HOLDS VOTING RIGHTS WITH THE POWER TO VOTE TEN PERCENT OR MORE OF THE OUTSTANDING VOTING RIGHTS OF A DENTAL INSURER.

Ch. 89 {

EXPLANATION OF BLEND
SECTION 32-1401

Laws 2026, Chapters 106 and 180

Laws 2026, Ch. 106, section 1

Effective January 1, 2027

Laws 2026, Ch. 180, section 4

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 106 and Ch. 180 text changes to section 32-1401 are blended effective from and after December 31, 2026 in the form shown on the following pages.

BLEND OF SECTION 32-1401
Laws 2026, Chapters 106 and 180

32-1401. Definitions

In this chapter, unless the context otherwise requires:

1. "Active license" means a valid and existing license to practice medicine.

2. "Adequate records" means legible medical records, produced by hand or electronically, containing, at a minimum, sufficient information to identify the patient, support the diagnosis, justify the treatment, accurately document the results, indicate advice and cautionary warnings provided to the patient and provide sufficient information for another practitioner to assume continuity of the patient's care at any point in the course of treatment.

3. "Advisory letter" means a nondisciplinary letter to notify a licensee that either:

(a) While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

(b) The violation is a minor or technical violation that is not of sufficient merit to warrant disciplinary action.

(c) While the licensee has demonstrated substantial compliance through rehabilitation or remediation that has mitigated the need for disciplinary action, the board believes that repetition of the activities that led to the investigation may result in further board action against the licensee.

4. "Approved hospital internship, residency or clinical fellowship program" means a program at a hospital that at the time the training occurred was legally incorporated and that had a program that was approved for internship, fellowship or residency training by the accreditation council for graduate medical education, the association of American medical colleges, the royal college of physicians and surgeons of Canada or any similar body in the United States or Canada approved by the board whose function is that of approving hospitals for internship, fellowship or residency training.

5. "Approved school of medicine" means any school or college offering a course of study that, on successful completion, results in the degree of doctor of medicine and whose course of study has been approved or accredited by an educational or professional association, recognized by the board, including the association of American medical colleges, the association of Canadian medical colleges or the American medical association.

6. "Board" means the Arizona medical board.

7. "Completed application" means that the applicant has supplied all required fees, information and correspondence requested by the board on forms and in a manner acceptable to the board.

8. "Direct supervision" means that a physician, physician assistant licensed pursuant to chapter 25 of this title or nurse practitioner certified pursuant to chapter 15 of this title is within the same room or office suite as the medical assistant in order to be available for consultation regarding those tasks the medical assistant performs pursuant to section 32-1456.

9. "Dispense" means the delivery by a doctor of medicine of a prescription drug or device to a patient, except for samples packaged for individual use by licensed manufacturers or repackagers of drugs, and includes the prescribing, administering, packaging, labeling and security necessary to prepare and safeguard the drug or device for delivery.

10. "Doctor of medicine" means a natural person holding a license, registration or permit to practice medicine pursuant to this chapter.

11. "Full-time faculty member" means a physician who is employed full time as a faculty member while holding the academic position of assistant professor or a higher position at an approved school of medicine.

12. "Health care institution" means any facility as defined in section 36-401, any person authorized to transact disability insurance, as defined in title 20, chapter 6, article 4 or 5, any person who is issued a certificate of authority pursuant to title 20, chapter 4, article 9 or any other partnership, association or corporation that provides health care to consumers.

13. "Immediate family" means the spouse, natural or adopted children, father, mother, brothers and sisters of the doctor of medicine and the natural or adopted children, father, mother, brothers and sisters of the doctor of medicine's spouse.

14. "Letter of reprimand" means a disciplinary letter that is issued by the board and that informs the physician that the physician's conduct violates state or federal law and may require the board to monitor the physician.

15. "Limit" means taking a nondisciplinary action that alters the physician's practice or professional activities if the board determines that there is evidence that the physician is or may be mentally or physically unable to safely engage in the practice of medicine.

16. "Medical assistant" means an unlicensed person who meets the requirements of section 32-1456, has completed an education program approved by the board, assists in a medical practice under the supervision of a doctor of medicine, physician assistant or nurse practitioner and performs delegated procedures commensurate with the medical assistant's education and training but does not diagnose, interpret, design or modify established treatment programs or perform any functions that would violate any statute applicable to the practice of medicine.

17. "Medically incompetent" means a person who the board determines is incompetent based on a variety of factors, including:

(a) A lack of sufficient medical knowledge or skills, or both, to a degree likely to endanger the health of patients.

(b) When considered with other indications of medical incompetence, failing to obtain a scaled score of at least seventy-five percent on the written special purpose licensing examination.

18. "Medical peer review" means:

(a) The participation by a doctor of medicine in the review and evaluation of the medical management of a patient and the use of resources for patient care.

(b) Activities relating to a health care institution's decision to grant or continue privileges to practice at that institution.

19. "Medicine" means allopathic medicine as practiced by the recipient of a degree of doctor of medicine.

20. "Office-based surgery" means a medical procedure conducted in a physician's office or other outpatient setting that is not part of a licensed hospital or licensed ambulatory surgical center.

21. "Physician" means a doctor of medicine who is licensed pursuant to this chapter.

22. "Practice of medicine":

(a) Means the diagnosis, the treatment or the correction of or the attempt or the claim to be able to diagnose, treat or correct any and all human diseases, injuries, ailments, infirmities or deformities, physical or mental, real or imaginary, by any means, methods, devices or instrumentalities, except as the same may be among the acts or persons not affected by this chapter.

(b) Includes the practice of medicine alone or the practice of surgery alone, or both.

23. "Restrict" means taking a disciplinary action that alters the physician's practice or professional activities if the board determines that there is evidence that the physician is or may be medically incompetent or guilty of unprofessional conduct.

24. "Special purpose licensing examination" means an examination that is developed by the national board of medical examiners on behalf of the federation of state medical boards for use by state licensing boards to test the basic medical competence of physicians who are applying for licensure and who have been in practice for a considerable period of time in another jurisdiction and to determine the competence of a physician who is under investigation by a state licensing board.

25. "Teaching hospital's accredited graduate medical education program" means that the hospital is incorporated and has an internship, fellowship or residency training program that is accredited by the accreditation council for graduate medical education, the American medical association, the association of American medical colleges, the royal college of physicians and surgeons of Canada or a similar body in the United States or Canada that is approved by the board and whose function is that of approving hospitals for internship, fellowship or residency training.

26. "Teaching license" means a valid license to practice medicine as a full-time faculty member of an approved school of medicine or a teaching hospital's accredited graduate medical education program.

27. "Unprofessional conduct" includes the following, whether occurring in this state or elsewhere:

(a) Violating any federal or state laws, rules or regulations applicable to the practice of medicine.

(b) Intentionally disclosing a professional secret or intentionally disclosing a privileged communication except as either act may otherwise be required by law.

(c) Committing false, fraudulent, deceptive or misleading advertising by a doctor of medicine or the doctor of medicine's staff, employer or representative.

(d) Committing a felony, whether or not involving moral turpitude, or a misdemeanor involving moral turpitude. In either case, conviction by any court of competent jurisdiction or a plea of no contest is conclusive evidence of the commission.

(e) Failing or refusing to maintain adequate records on a patient.

(f) Exhibiting a pattern of using or being under the influence of alcohol or drugs or a similar substance while practicing medicine or to the extent that judgment may be impaired and the practice of medicine detrimentally affected.

(g) Using controlled substances except if prescribed by another physician for use during a prescribed course of treatment.

(h) Prescribing or dispensing controlled substances to members of the physician's immediate family.

(i) Prescribing, dispensing or administering schedule II controlled substances as prescribed by section 36-2513 or the rules adopted pursuant to section 36-2513, including amphetamines and similar schedule II sympathomimetic drugs in the treatment of exogenous obesity for a period in excess of thirty days in any one year, or the nontherapeutic use of injectable amphetamines.

(j) Prescribing, dispensing or administering any controlled substance or prescription-only drug for other than accepted therapeutic purposes.

(k) Dispensing a schedule II controlled substance that is an opioid, except as provided in sections 32-1491 and 32-3248.03.

(l) Signing a blank, undated or predated prescription form.

(m) Committing conduct that the board determines is gross malpractice, repeated malpractice or any malpractice resulting in the death of a patient.

(n) Representing that a manifestly incurable disease or infirmity can be permanently cured, or that any disease, ailment or infirmity can be cured by a secret method, procedure, treatment, medicine or device, if this is not true.

(o) Refusing to divulge to the board on demand the means, method, procedure, modality of treatment or medicine used in the treatment of a disease, injury, ailment or infirmity.

(p) Having action taken against a doctor of medicine by another licensing or regulatory jurisdiction due to that doctor of medicine's mental or physical inability to engage safely in the practice of medicine or the doctor of medicine's medical incompetence or for unprofessional conduct as defined by that jurisdiction and that corresponds directly or indirectly to an act of unprofessional conduct prescribed by this paragraph. The action taken may include refusing, denying, revoking or suspending a license by that jurisdiction or a surrendering of a license to that jurisdiction, otherwise limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on probation by that jurisdiction.

(q) Having sanctions imposed by an agency of the federal government, including restricting, suspending, limiting or removing a person from the

practice of medicine or restricting that person's ability to obtain financial remuneration.

(r) Committing any conduct or practice that is or might be harmful or dangerous to the health of the patient or the public.

(s) Violating a formal order, probation, consent agreement or stipulation issued or entered into by the board or its executive director under this chapter.

(t) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any provision of this chapter.

(u) Knowingly making any false or fraudulent statement, written or oral, in connection with the practice of medicine or if applying for privileges or renewing an application for privileges at a health care institution.

(v) Charging a fee for services not rendered or dividing a professional fee for patient referrals among health care providers or health care institutions or between these providers and institutions or a contractual arrangement that has the same effect. This subdivision does not apply to payments from a medical researcher to a physician in connection with identifying and monitoring patients for a clinical trial regulated by the United States food and drug administration.

(w) Obtaining a fee by fraud, deceit or misrepresentation.

(x) Charging or collecting a clearly excessive fee. In determining whether a fee is clearly excessive, the board shall consider the fee or range of fees customarily charged in this state for similar services in light of modifying factors such as the time required, the complexity of the service and the skill requisite to perform the service properly. This subdivision does not apply if there is a clear written contract for a fixed fee between the physician and the patient that has been entered into before the provision of the service.

(y) Committing conduct that is in violation of section 36-2302.

(z) Using experimental forms of diagnosis and treatment without adequate informed patient consent, and without conforming to generally accepted experimental criteria, including protocols, detailed records, periodic analysis of results and periodic review by a medical peer review committee as approved by the United States food and drug administration or its successor agency.

(aa) Engaging in sexual conduct with a current patient or with a former patient within six months after the last medical consultation unless the patient was the licensee's spouse at the time of the contact or, immediately preceding the physician-patient relationship, was in a dating or engagement relationship with the licensee. For the purposes of this subdivision, "sexual conduct" includes:

(i) Engaging in or soliciting sexual relationships, whether consensual or nonconsensual.

(ii) Making sexual advances, requesting sexual favors or engaging in any other verbal conduct or physical contact of a sexual nature.

(iii) Intentionally viewing a completely or partially disrobed patient in the course of treatment if the viewing is not related to patient diagnosis or treatment under current practice standards.

(bb) Procuring or attempting to procure a license to practice medicine or a license renewal by fraud, by misrepresentation or by knowingly taking advantage of the mistake of another person or an agency.

(cc) Representing or claiming to be a medical specialist if this is not true.

(dd) Maintaining a professional connection with or lending one's name to enhance or continue the activities of an illegal practitioner of medicine.

(ee) Failing to furnish information in a timely manner to the board or the board's investigators or representatives if legally requested by the board.

(ff) Failing to allow properly authorized board personnel on demand to examine and have access to documents, reports and records maintained by the physician that relate to the physician's medical practice or medically related activities.

(gg) Knowingly failing to disclose to a patient on a form that is prescribed by the board and that is dated and signed by the patient or guardian acknowledging that the patient or guardian has read and understands that the doctor has a direct financial interest in a separate diagnostic or treatment agency or in nonroutine goods or services that the patient is being prescribed if the prescribed treatment, goods or services are available on a competitive basis. This subdivision does not apply to a referral by one doctor of medicine to another doctor of medicine within a group of doctors of medicine practicing together.

(hh) Using chelation therapy in the treatment of arteriosclerosis or as any other form of therapy, with the exception of treatment of heavy metal poisoning, without:

(i) Adequate informed patient consent.

(ii) Conforming to generally accepted experimental criteria, including protocols, detailed records, periodic analysis of results and periodic review by a medical peer review committee.

(iii) Approval by the United States food and drug administration or its successor agency.

(ii) Prescribing, dispensing or administering anabolic-androgenic steroids to a person for other than therapeutic purposes.

(jj) Exhibiting a lack of or inappropriate direction, collaboration or direct supervision of a medical assistant or a licensed, certified or registered health care provider employed by, supervised by or assigned to the physician.

(kk) Knowingly making a false or misleading statement to the board or on a form required by the board or in a written correspondence, including attachments, with the board.

(ll) Failing to dispense drugs and devices in compliance with article 6 of this chapter.

(mm) Committing conduct that the board determines is gross negligence, repeated negligence or negligence resulting in harm to or the death of a patient.

(nn) Making a representation by a doctor of medicine or the doctor of medicine's staff, employer or representative that the doctor of medicine is boarded or board certified if this is not true or the standing is not

current or without supplying the full name of the specific agency, organization or entity granting this standing.

(oo) Refusing to submit to a body fluid examination or any other examination known to detect the presence of alcohol or other drugs as required by the board pursuant to section 32-1452 or pursuant to a board investigation into a doctor of medicine's alleged substance abuse.

(pp) Failing to report in writing to the Arizona medical board or the Arizona regulatory board of physician assistants any evidence that a doctor of medicine or a physician assistant is or may be medically incompetent, guilty of unprofessional conduct or mentally or physically unable to safely practice medicine or to perform as a physician assistant.

(qq) As a physician who is the chief executive officer, the medical director or the medical chief of staff of a health care institution, failing to report in writing to the board that the hospital privileges of a doctor of medicine have been denied, revoked, suspended, supervised or limited because of actions by the doctor of medicine that appear to show that the doctor of medicine is or may be medically incompetent, is or may be guilty of unprofessional conduct or is or may be unable to engage safely in the practice of medicine.

(rr) Claiming to be a current member of the board or its staff or a board medical consultant if this is not true.

(ss) Failing to make patient medical records in the physician's possession promptly available to a physician assistant, a nurse practitioner, a person licensed pursuant to this chapter or a podiatrist, chiropractor, naturopathic physician, osteopathic physician or homeopathic physician licensed under chapter 7, 8, 14, 17 or 29 of this title on receipt of proper authorization to do so from the patient, a minor patient's parent, the patient's legal guardian or the patient's authorized representative or failing to comply with title 12, chapter 13, article 7.1.

(tt) Prescribing, dispensing or furnishing a prescription medication or a prescription-only device as defined in section 32-1901 to a person unless the licensee first conducts a physical or mental health status examination of that person or has previously established a doctor-patient relationship. The physical or mental health status examination may be conducted through telehealth as defined in section 36-3601 with a clinical evaluation that is appropriate for the patient and the condition with which the patient presents, unless the examination is for the purpose of obtaining a written certification from the physician for the purposes of title 36, chapter 28.1. This subdivision does not apply to:

(i) A physician who provides temporary patient supervision on behalf of the patient's regular treating licensed health care professional or provides a consultation requested by the patient's regular treating licensed health care professional.

(ii) Emergency medical situations as defined in section 41-1831.

(iii) Prescriptions written to prepare a patient for a medical examination.

(iv) Prescriptions written or prescription medications issued for use by a county or tribal public health department for immunization programs or emergency treatment or in response to an infectious disease investigation, public health emergency, infectious disease outbreak or act

of bioterrorism. For the purposes of this item, "bioterrorism" has the same meaning prescribed in section 36-781.

(v) Prescriptions written or antimicrobials dispensed to a contact as defined in section 36-661 who is believed to have had significant exposure risk as defined in section 36-661 with another person who has been diagnosed with a communicable disease as defined in section 36-661 by the prescribing or dispensing physician.

(vi) Prescriptions written or prescription medications issued for administration of immunizations or vaccines listed in the United States centers for disease control and prevention's recommended immunization schedule to a household member of a patient.

(vii) Prescriptions for epinephrine delivery systems that are written or dispensed for a school district or charter school to be stocked for emergency use pursuant to section 15-157 or for an authorized entity to be stocked pursuant to section 36-2226.01.

(viii) Prescriptions for glucagon written or dispensed for a school district or charter school to be stocked for emergency use pursuant to section 15-344.01.

(ix) Prescriptions written by a licensee through a telehealth program that is covered by the policies and procedures adopted by the administrator of a hospital or outpatient treatment center.

(x) Prescriptions for naloxone hydrochloride or any other opioid antagonist approved by the United States food and drug administration that are written or dispensed for use pursuant to section 36-2228 or 36-2266.

(uu) Performing office-based surgery using sedation in violation of board rules.

(vv) Practicing medicine under a false or assumed name in this state.

Ch. 106

(ww) IF A PHYSICIAN PERFORMS SURGERIES AT AN OUTPATIENT SURGICAL CENTER, FAILING TO ANNUALLY PROVIDE THE OUTPATIENT SURGICAL CENTER WITH THE PHYSICIAN'S CALL-COVERAGE PLAN, INCLUDING HOSPITAL CALL COVERAGE IF APPLICABLE. THE PHYSICIAN SHALL PROVIDE THE OUTPATIENT SURGICAL CENTER WITH AN UPDATED CALL-COVERAGE PLAN, INCLUDING HOSPITAL CALL COVERAGE IF APPLICABLE, AS CHANGES ARE MADE.

Ch. 180

(xx) ADVISING A PATIENT, WHETHER DIRECTLY OR INDIRECTLY THROUGH STAFF, TO ENROLL IN OR DISENROLL FROM A SPECIFIC HEALTH INSURANCE POLICY OR PLAN ISSUED BY A SPECIFIC INSURANCE COMPANY UNLESS THE LICENSEE OR STAFF MEMBER IS A LICENSED INSURANCE PRODUCER IN THIS STATE. THIS SUBDIVISION DOES NOT PROHIBIT OR PREVENT A LICENSEE FROM DISCUSSING WITH PATIENTS WHETHER THE LICENSEE IS IN NETWORK OR OUT OF NETWORK WITH ANY SPECIFIC INSURANCE COMPANY OR UNDER ANY SPECIFIC INSURANCE POLICY OR PLAN.

EXPLANATION OF BLEND
SECTION 32-1601

Laws 2026, Chapters 180 and 251

Laws 2026, Ch. 180, section 5

Effective September 12, 2026

Laws 2026, Ch. 251, section 1

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 180 and Ch. 251 text changes to section 32-1601 are blended in the form shown on the following pages.

The Laws 2026, Ch. 251 version of section 32-1601 made a technical change to paragraph 27, subdivision (d) in a different manner than the Ch. 180 version. Since this would not produce a substantive change, the blend version reflects the Ch. 180 version.

BLEND OF SECTION 32-1601
Laws 2026, Chapters 180 and 251

32-1601. Definitions

In this chapter, unless the context otherwise requires:

1. "Absolute discharge from the sentence" means completion of any sentence, including imprisonment, probation, parole, community supervision or any form of court supervision.

2. "Appropriate health care professional" means a licensed health care professional whose scope of practice, education, experience, training and accreditation are appropriate for the situation or condition of the patient who is the subject of a consultation or referral.

3. "Approval" means that a regulated training or educational program to prepare persons for licensure, certification or registration has met standards established by the board.

4. "Board" means the Arizona state board of nursing.

5. "Certified nurse midwife" means a registered nurse who:

(a) Is certified by the board.

(b) Has completed a nurse midwife education program **THAT IS** approved or recognized by the board and educational requirements **[THAT ARE]** — Ch. 251 prescribed by the board by rule.

(c) Holds a national certification as a certified nurse midwife from a national certifying body **THAT IS** recognized by the board.

(d) Has an expanded scope of practice in providing health care services for women from adolescence to beyond menopause, including antepartum, intrapartum, postpartum, reproductive, gynecologic and primary care, for normal newborns during the first twenty-eight days of life and for men for the treatment of sexually transmitted diseases. The expanded scope of practice under this subdivision includes:

(i) Assessing patients, synthesizing and analyzing data and understanding and applying principles of health care at an advanced level.

(ii) Managing the physical and psychosocial health care of patients.

(iii) Analyzing multiple sources of data, identifying alternative possibilities as to the nature of a health care problem and selecting, implementing and evaluating appropriate treatment.

(iv) Making independent decisions in solving complex patient care problems.

(v) Diagnosing, performing diagnostic and therapeutic procedures and prescribing, administering and dispensing therapeutic measures, including legend drugs, medical devices and controlled substances, within the scope of the certified nurse midwife practice after meeting requirements established by the board.

(vi) Recognizing the limits of the ~~nurse's~~ **CERTIFIED NURSE MIDWIFE'S** knowledge and experience by consulting with or referring patients to other appropriate health care professionals if a situation or condition occurs that is beyond the knowledge and experience of the **CERTIFIED** nurse **MIDWIFE** or if the referral will protect the health and welfare of the patient.

(vii) Delegating to a medical assistant pursuant to section 32-1456.

Chs. 180
and 251

Chs. 180
and 251

(viii) Performing additional acts that require education and training as prescribed by the board and that are recognized by the nursing profession as proper to be performed by a certified nurse midwife.

6. "Certified nursing assistant" means a person who is registered on the registry of nursing assistants pursuant to this chapter to provide or assist in delivering nursing or nursing-related services under the supervision and direction of a licensed nursing staff member. Certified nursing assistant does not include a person who:

(a) Is a licensed health care professional.

(b) Volunteers to provide nursing assistant services without monetary compensation.

(c) Is a licensed nursing assistant.

Chs. 180
and 251

7. "Certified registered nurse" means a registered nurse who has been certified by a national nursing credentialing agency **THAT IS** recognized by the board.

8. "Certified registered nurse anesthetist" means a registered nurse who meets the requirements of section 32-1634.03 and who practices pursuant to the requirements of section 32-1634.04.

9. "Clinical nurse specialist" means a registered nurse who:

(a) Is certified by the board as a clinical nurse specialist.

(b) Holds a graduate degree with a major in nursing and completes educational requirements as prescribed by the board by rule.

(c) Is nationally certified as a clinical nurse specialist or, if certification is not available, provides proof of competence to the board.

(d) Has an expanded scope of practice based on advanced education in a clinical nursing specialty that includes:

(i) Assessing clients, synthesizing and analyzing data and understanding and applying nursing principles at an advanced level.

(ii) Managing directly and indirectly a client's physical and psychosocial health status.

(iii) Analyzing multiple sources of data, identifying alternative possibilities as to the nature of a health care problem and selecting appropriate nursing interventions.

(iv) Developing, planning and guiding programs of care for populations of patients.

(v) Making independent nursing decisions to solve complex client care problems.

(vi) Using research skills and acquiring and applying critical new knowledge and technologies to nursing practice.

(vii) Prescribing and dispensing durable medical equipment.

(viii) Consulting with or referring a client to other health care providers based on assessment of the client's health status and needs.

(ix) Facilitating collaboration with other disciplines to attain the desired client outcome across the continuum of care.

(x) Performing additional acts that require education and training as prescribed by the board and that are recognized by the nursing profession as proper to be performed by a clinical nurse specialist.

Chs. 180
and 251

(xi) Prescribing, ordering and dispensing pharmacological agents **THAT ARE** subject to the requirements and limits specified in section 32-1651.

10. "Conditional license" or "conditional approval" means a license or approval that specifies the conditions under which the regulated party is allowed to practice or to operate and that is prescribed by the board pursuant to section 32-1644 or 32-1663.

11. "Delegation" means transferring to a competent individual the authority to perform a selected nursing task in a designated situation in which the nurse making the delegation retains accountability for the delegation.

12. "Disciplinary action" means a regulatory sanction of a license, certificate or approval pursuant to this chapter in any combination of the following:

(a) A civil penalty for each violation of this chapter, not to exceed \$1,000 for each violation.

(b) Restitution made to an aggrieved party.

(c) A decree of censure.

(d) A conditional license or a conditional approval that ~~fixed~~ **FIXES** a period and terms of probation.

(e) Limited licensure.

(f) Suspension of a license, a certificate or an approval.

(g) Voluntary surrender of a license, a certificate or an approval.

(h) Revocation of a license, a certificate or an approval.

13. "Health care institution" has the same meaning prescribed in section 36-401.

14. "Licensed health aide" means a person who:

(a) Is licensed pursuant to this chapter to provide or to assist in providing nursing-related services authorized pursuant to section 36-2939.

(b) Is the parent, guardian or family member by affinity or consanguinity of the Arizona long-term care system member receiving services who may provide licensed health aide services only to that member and only consistent with that member's plan of care.

(c) Has a scope of practice that is the same as a licensed nursing assistant and may also provide medication administration, tracheostomy care, enteral care and routine ventilator care and therapy and any other tasks approved by the board in rule.

(d) Has supervision requirements that are the same as a certified nursing assistant.

15. "Licensed nursing assistant" means a person who is licensed pursuant to this chapter to provide or assist in delivering nursing or nursing-related services under the supervision and direction of a licensed nursing staff member. Licensed nursing assistant does not include a person who:

(a) Is a licensed health care professional.

(b) Volunteers to provide nursing assistant services without monetary compensation.

(c) Is a certified nursing assistant.

16. "Licensee" means a person who is licensed pursuant to this chapter or in a party state as defined in section 32-1668.

17. "Limited license" means a license that restricts the scope or setting of a licensee's practice.

18. "Medication order" means a written or verbal communication given by a certified registered nurse anesthetist to a health care professional to administer a drug or medication, including controlled substances.

Chs. 180
and 251

19. "Practical nurse" means a person who holds a practical nurse license issued pursuant to this chapter or pursuant to a multistate compact privilege and who practices practical nursing ~~as defined in this section~~.

20. "Practical nursing" includes the following activities that are performed under the supervision of a physician or a registered nurse:

(a) Contributing to the assessment of the health status of individuals and groups.

(b) Participating in the development and modification of the strategy of care.

(c) Implementing aspects of the strategy of care within the nurse's scope of practice.

(d) Maintaining safe and effective nursing care that is rendered directly or indirectly.

(e) Participating in the evaluation of responses to interventions.

(f) Delegating nursing activities within the scope of practice of a practical nurse.

(g) Performing additional acts that require education and training as prescribed by the board and that are recognized by the nursing profession as proper to be performed by a practical nurse.

Chs. 180
and 251

21. "Presence" means within the same health care institution or office as specified in section 32-1634.04, subsection A, and available as necessary.

22. "Registered nurse" or "professional nurse" means a person who practices registered nursing and who holds a registered nurse license issued pursuant to this chapter or pursuant to a multistate compact privilege.

23. "Registered nurse practitioner" means a registered nurse who:

(a) Is certified by the board.

(b) Has completed a nurse practitioner education program **THAT IS** approved or recognized by the board and educational requirements **[THAT ARE]** — Ch. 251 prescribed by the board by rule.

Chs. 180
and 251

(c) If applying for certification after July 1, 2004, holds national certification as a nurse practitioner from a national certifying body **THAT IS** recognized by the board.

(d) Has an expanded scope of practice within a specialty area that includes:

(i) Assessing clients, synthesizing and analyzing data and understanding and applying principles of health care at an advanced level.

(ii) Managing the physical and psychosocial health status of patients.

(iii) Analyzing multiple sources of data, identifying alternative possibilities as to the nature of a health care problem and selecting, implementing and evaluating appropriate treatment.

(iv) Making independent decisions in solving complex patient care problems.

(v) Diagnosing, performing diagnostic and therapeutic procedures, and prescribing, administering and dispensing therapeutic measures, including legend drugs, medical devices and controlled substances within

the scope of registered nurse practitioner practice on meeting the requirements established by the board.

(vi) Recognizing the limits of the ~~nurse's~~ REGISTERED NURSE PRACTITIONER'S knowledge and experience by consulting with or referring patients to other appropriate health care professionals if a situation or condition occurs that is beyond the knowledge and experience of the REGISTERED nurse PRACTITIONER or if the referral will protect the health and welfare of the patient.

(vii) Delegating to a medical assistant pursuant to section 32-1456.

(viii) Performing additional acts that require education and training as prescribed by the board and that are recognized by the nursing profession as proper to be performed by a REGISTERED nurse practitioner.

24. "Registered nursing" includes the following:

(a) Diagnosing and treating human responses to actual or potential health problems.

(b) Assisting individuals and groups to maintain or attain optimal health by implementing a strategy of care to accomplish defined goals and evaluating responses to care and treatment.

(c) Assessing the health status of individuals and groups.

(d) Establishing a nursing diagnosis.

(e) Establishing goals to meet identified health care needs.

(f) Prescribing nursing interventions to implement a strategy of care.

(g) Delegating nursing interventions to others who are qualified to do so.

(h) Providing for the maintenance of safe and effective nursing care that is rendered directly or indirectly.

(i) Evaluating responses to interventions.

(j) Teaching nursing knowledge and skills.

(k) Managing and supervising the practice of nursing.

(l) Consulting and coordinating with other health care professionals in the management of health care.

(m) Performing additional acts that require education and training as prescribed by the board and that are recognized by the nursing profession as proper to be performed by a registered nurse.

25. "Registry of nursing assistants" means the nursing assistants registry maintained by the board pursuant to the omnibus budget reconciliation act of 1987 (P.L. 100-203; 101 Stat. 1330), as amended by the medicare catastrophic coverage act of 1988 (P.L. 100-360; 102 Stat. 683).

26. "Regulated party" means any person or entity that is licensed, certified, registered, recognized or approved pursuant to this chapter.

27. "Unprofessional conduct" includes the following, whether occurring in this state or elsewhere:

(a) Committing fraud or deceit in obtaining, attempting to obtain or renewing a license or a certificate issued pursuant to this chapter.

(b) Committing a felony, whether or not involving moral turpitude, or a misdemeanor involving moral turpitude. In either case, conviction by a court of competent jurisdiction or a plea of no contest is conclusive evidence of the commission.

- (c) Aiding or abetting in a criminal abortion or attempting, agreeing or offering to procure or assist in a criminal abortion.
- Chs. 180 and 251 — (d) **ENGAGING IN** any conduct or practice that is or might be harmful or dangerous to the health of a patient or the public.
- (e) Being mentally incompetent or physically unsafe to a degree that is or might be harmful or dangerous to the health of a patient or the public.
- (f) Having a license, certificate, permit or registration to practice a health care profession denied, suspended, conditioned, limited or revoked in another jurisdiction and not reinstated by that jurisdiction.
- (g) Wilfully or repeatedly violating a provision of this chapter or a rule adopted pursuant to this chapter.
- (h) Committing an act that deceives, defrauds or harms the public.
- (i) Failing to comply with a stipulated agreement, consent agreement or board order.
- (j) Violating this chapter or a rule that is adopted by the board pursuant to this chapter.
- Chs. 180 and 251 — (k) Failing to report to the board any evidence that a registered **NURSE**, practical nurse or **nursing assistant** is or may be:
- (i) Incompetent to practice.
- (ii) Guilty of unprofessional conduct.
- (iii) Mentally or physically unable to safely practice nursing or to perform nursing-related duties. A nurse who is providing therapeutic counseling for a nurse who is in a drug rehabilitation program is required to report that nurse only if the nurse providing therapeutic counseling has personal knowledge that patient safety is being jeopardized.
- (l) Failing to self-report a conviction for a felony or undesignated offense within ten days after the conviction.
- (m) Cheating or assisting another to cheat on a licensure or certification examination.
- Ch. 251 — (n) **ENGAGING IN SEXUAL CONDUCT WITH A CURRENT PATIENT OR WITH A FORMER PATIENT WITHIN SIX MONTHS AFTER THE LAST TREATMENT UNLESS THE PATIENT WAS THE LICENSEE'S SPOUSE AT THE TIME OF THE CONTACT OR, IMMEDIATELY PRECEDING THE NURSE-PATIENT RELATIONSHIP, WAS IN A DATING OR ENGAGEMENT RELATIONSHIP WITH THE LICENSEE. FOR THE PURPOSES OF THIS SUBDIVISION, "SEXUAL CONDUCT" INCLUDES:**
- (i) **ENGAGING IN OR SOLICITING A SEXUAL RELATIONSHIP, WHETHER CONSENSUAL OR NONCONSENSUAL.**
- (ii) **MAKING SEXUAL ADVANCES, REQUESTING SEXUAL FAVORS OR ENGAGING IN ANY OTHER VERBAL CONDUCT OR PHYSICAL CONTACT OF A SEXUAL NATURE.**
- (iii) **INTENTIONALLY VIEWING A COMPLETELY OR PARTIALLY DISROBED PATIENT IN THE COURSE OF TREATMENT IF THE VIEWING IS NOT RELATED TO PATIENT DIAGNOSIS OR TREATMENT UNDER CURRENT PRACTICE STANDARDS.**
- Ch. 180 — (o) **ADVISING A PATIENT, WHETHER DIRECTLY OR INDIRECTLY THROUGH STAFF, TO ENROLL IN OR DISENROLL FROM A SPECIFIC HEALTH INSURANCE POLICY OR PLAN ISSUED BY A SPECIFIC INSURANCE COMPANY UNLESS THE LICENSEE OR STAFF MEMBER IS A LICENSED INSURANCE PRODUCER IN THIS STATE. THIS SUBDIVISION DOES NOT PROHIBIT OR PREVENT A LICENSEE FROM DISCUSSING WITH PATIENTS WHETHER THE LICENSEE IS IN NETWORK OR OUT OF NETWORK WITH ANY SPECIFIC INSURANCE COMPANY OR UNDER ANY SPECIFIC INSURANCE POLICY OR PLAN.**

EXPLANATION OF BLEND
SECTION 32-1854

Laws 2026, Chapters 106 and 180

Laws 2026, Ch. 106, section 2

Effective January 1, 2027

Laws 2026, Ch. 180, section 6

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 106 and Ch. 180 text changes to section 32-1854 are blended effective from and after December 31, 2026 in the form shown on the following pages.

BLEND OF SECTION 32-1854
Laws 2026, Chapters 106 and 180

32-1854. Definition of unprofessional conduct

For the purposes of this chapter, "unprofessional conduct" includes the following acts, whether occurring in this state or elsewhere:

1. Knowingly betraying a professional secret or wilfully violating a privileged communication except as either of these may otherwise be required by law. This paragraph does not prevent members of the board from exchanging information with the licensing and disciplinary boards of other states, territories or districts of the United States or with foreign countries or with osteopathic medical organizations located in this state or in any state, district or territory of this country or in any foreign country.
2. Committing a felony or a misdemeanor involving moral turpitude. In either case conviction by any court of competent jurisdiction is conclusive evidence of the commission of the offense.
3. Practicing medicine while under the influence of alcohol, a dangerous drug as defined in section 13-3401, narcotic or hypnotic drugs or any substance that impairs or may impair the licensee's ability to safely and skillfully practice medicine.
4. Being diagnosed by a physician licensed under this chapter or chapter 13 of this title or a psychologist licensed under chapter 19.1 of this title as excessively or illegally using alcohol or a controlled substance.
5. Prescribing, dispensing or administering controlled substances or prescription-only drugs for other than accepted therapeutic purposes.
6. Engaging in the practice of medicine in a manner that harms or may harm a patient or that the board determines falls below the community standard.
7. Impersonating another physician.
8. Acting or assuming to act as a member of the board if this is not true.
9. Procuring, renewing or attempting to procure or renew a license to practice osteopathic medicine by fraud or misrepresentation.
10. Having professional connection with or lending one's name to an illegal practitioner of osteopathic medicine or any of the other healing arts.
11. Representing that a manifestly incurable disease, injury, ailment or infirmity can be permanently cured or that a curable disease, injury, ailment or infirmity can be cured within a stated time if this is not true.
12. Failing to reasonably disclose and inform the patient or the patient's representative of the method, device or instrumentality the licensee uses to treat the patient's disease, injury, ailment or infirmity.

13. Refusing to divulge to the board on demand the means, method, device or instrumentality used to treat a disease, injury, ailment or infirmity.

14. Charging a fee for services not rendered or dividing a professional fee for patient referrals. This paragraph does not apply to payments from a medical researcher to a physician in connection with identifying and monitoring patients for clinical trial regulated by the United States food and drug administration.

15. Knowingly making any false or fraudulent statement, written or oral, in connection with the practice of medicine or when applying for or renewing privileges at a health care institution or a health care program.

16. Advertising in a false, deceptive or misleading manner.

17. Representing or claiming to be an osteopathic medical specialist if the physician has not satisfied the applicable requirements of this chapter or board rules.

18. Having a license denied or disciplinary action taken against a license by any other state, territory, district or country, unless it can be shown that this occurred for reasons that did not relate to the person's ability to safely and skillfully practice osteopathic medicine or to any act of unprofessional conduct as provided in this section.

19. Committing any conduct or practice contrary to recognized standards of ethics of the osteopathic medical profession.

20. Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any of the provisions of this chapter.

21. Failing or refusing to establish and maintain adequate records on a patient as follows:

(a) If the patient is an adult, for at least six years after the last date the licensee provided the patient with medical or health care services.

(b) If the patient is a child, either for at least three years after the child's eighteenth birthday or for at least six years after the last date the licensee provided that patient with medical or health care services, whichever date occurs later.

22. Using controlled substances or prescription-only drugs unless they are provided by a medical practitioner, as defined in section 32-1901, as part of a lawful course of treatment.

23. Prescribing controlled substances to members of one's immediate family unless there is no other physician available within fifty miles to treat a member of the family and an emergency exists.

24. Committing nontherapeutic use of injectable amphetamines.

25. Violating a formal order, probation or a stipulation issued by the board under this chapter.

26. Charging or collecting an inappropriate fee. This paragraph does not apply to a fee that is fixed in a written contract between the physician and the patient and entered into before treatment begins.

27. Using experimental forms of therapy without adequate informed patient consent or without conforming to generally accepted criteria and complying with federal and state statutes and regulations governing experimental therapies.

28. Failing to make patient medical records in the physician's possession promptly available to a physician assistant, a nurse practitioner, a person licensed pursuant to this chapter or a podiatrist, chiropractor, naturopathic physician, physician or homeopathic physician licensed under chapter 7, 8, 13, 14 or 29 of this title on receipt of proper authorization to do so from the patient, a minor patient's parent, the patient's legal guardian or the patient's authorized representative or failing to comply with title 12, chapter 13, article 7.1.

29. Failing to allow properly authorized board personnel to have, on presentation of a subpoena, access to any documents, reports or records that are maintained by the physician and that relate to the physician's medical practice or medically related activities pursuant to section 32-1855.01.

30. Signing a blank, undated or predated prescription form.

31. Obtaining a fee by fraud, deceit or misrepresentation.

32. Failing to report to the board an osteopathic physician and surgeon who is or may be guilty of unprofessional conduct or is or may be mentally or physically unable safely to engage in the practice of medicine.

33. Referring a patient to a diagnostic or treatment facility or prescribing goods and services without disclosing that the physician has a direct pecuniary interest in the facility, goods or services to which the patient has been referred or prescribed. This paragraph does not apply to a referral by one physician to another physician within a group of physicians practicing together.

34. Exhibiting a lack of or inappropriate direction, collaboration or supervision of a licensed, certified or registered health care provider or office personnel employed by or assigned to the physician in the medical care of patients.

35. Violating a federal law, a state law or a rule applicable to the practice of medicine.

36. Prescribing or dispensing controlled substances or prescription-only medications without establishing and maintaining adequate patient records.

37. Dispensing a schedule II controlled substance that is an opioid, except as provided in sections 32-1871 and 32-3248.03.

38. Failing to dispense drugs and devices in compliance with article 4 of this chapter.

39. Committing any conduct or practice that endangers a patient's or the public's health or may reasonably be expected to do so.

40. Committing any conduct or practice that impairs the licensee's ability to safely and skillfully practice medicine or that may reasonably be expected to do so.

41. With the exception of heavy metal poisoning, using chelation therapy in the treatment of arteriosclerosis or as any other form of therapy without adequate informed patient consent and without conforming to generally accepted experimental criteria, including protocols, detailed records, periodic analysis of results and periodic review by a medical peer review committee.

42. Prescribing, dispensing or administering anabolic-androgenic steroids to a person for other than therapeutic purposes.

43. Engaging in sexual conduct with a current patient or with a former patient within six months after the last medical consultation unless the patient was the licensee's spouse at the time of the contact or, immediately preceding the physician-patient relationship, was in a dating or engagement relationship with the licensee. For the purposes of this paragraph, "sexual conduct" includes:

(a) Engaging in or soliciting sexual relationships, whether consensual or nonconsensual.

(b) Making sexual advances, requesting sexual favors or engaging in any other verbal conduct or physical conduct of a sexual nature.

44. Committing conduct that is in violation of section 36-2302.

45. Committing conduct that the board determines constitutes gross negligence, repeated negligence or negligence that results in harm or death of a patient.

46. Committing conduct in the practice of medicine that evidences unfitness to practice medicine.

47. Engaging in disruptive or abusive behavior in a professional setting.

48. Failing to disclose to a patient that the licensee has a direct financial interest in a prescribed treatment, good or service if the treatment, good or service is available on a competitive basis. This paragraph does not apply to a referral by one licensee to another licensee within a group of licensees who practice together. A licensee meets the disclosure requirements of this paragraph if both of the following are true:

(a) The licensee makes the disclosure on a form prescribed by the board.

(b) The patient or the patient's guardian or parent acknowledges by signing the form that the licensee has disclosed the licensee's direct financial interest.

49. Prescribing, dispensing or furnishing a prescription medication or a prescription-only device to a person if the licensee has not conducted a physical or mental health status examination of that person or has not previously established a physician-patient relationship. The physical or mental health status examination may be conducted through telehealth as defined in section 36-3601 with a clinical evaluation that is appropriate for the patient and the condition with which the patient presents, unless the examination is for the purpose of obtaining a written certification from the physician for the purposes of title 36, chapter 28.1. This paragraph does not apply to:

(a) Emergencies.

(b) A licensee who provides patient care on behalf of the patient's regular treating licensed health care professional or provides a consultation requested by the patient's regular treating licensed health care professional.

(c) Prescriptions written or antimicrobials dispensed to a contact as defined in section 36-661 who is believed to have had significant exposure risk as defined in section 36-661 with another person who has been diagnosed with a communicable disease as defined in section 36-661 by the prescribing or dispensing physician.

(d) Prescriptions for epinephrine delivery systems that are written or dispensed for a school district or charter school to be stocked for emergency use pursuant to section 15-157 or for an authorized entity to be stocked pursuant to section 36-2226.01.

(e) Prescriptions for glucagon written or dispensed for a school district or charter school to be stocked for emergency use pursuant to section 15-344.01.

(f) Prescriptions written by a licensee through a telehealth program that is covered by the policies and procedures adopted by the administrator of a hospital or outpatient treatment center.

(g) Prescriptions for naloxone hydrochloride or any other opioid antagonist approved by the United States food and drug administration that are written or dispensed for use pursuant to section 36-2228 or 36-2266.

50. If a licensee provides medical care by computer, failing to disclose the licensee's license number and the board's address and telephone number.

Ch. 106 { 51. IF A PHYSICIAN PERFORMS SURGERIES AT AN OUTPATIENT SURGICAL CENTER, FAILING TO ANNUALLY PROVIDE THE OUTPATIENT SURGICAL CENTER WITH THE PHYSICIAN'S CALL-COVERAGE PLAN, INCLUDING HOSPITAL CALL COVERAGE IF APPLICABLE. THE PHYSICIAN SHALL PROVIDE THE OUTPATIENT SURGICAL CENTER WITH AN UPDATED CALL-COVERAGE PLAN, INCLUDING HOSPITAL CALL COVERAGE IF APPLICABLE, AS CHANGES ARE MADE.

Ch. 180 { 52. ADVISING A PATIENT, WHETHER DIRECTLY OR INDIRECTLY THROUGH STAFF, TO ENROLL IN OR DISENROLL FROM A SPECIFIC HEALTH INSURANCE POLICY OR PLAN ISSUED BY A SPECIFIC INSURANCE COMPANY UNLESS THE LICENSEE OR STAFF MEMBER IS A LICENSED INSURANCE PRODUCER IN THIS STATE. THIS PARAGRAPH DOES NOT PROHIBIT OR PREVENT A LICENSEE FROM DISCUSSING WITH PATIENTS WHETHER THE LICENSEE IS IN NETWORK OR OUT OF NETWORK WITH ANY SPECIFIC INSURANCE COMPANY OR UNDER ANY SPECIFIC INSURANCE POLICY OR PLAN.

EXPLANATION OF BLEND
SECTION 33-1261

Laws 2026, Chapters 154 and 243

Laws 2026, Ch. 154, section 1

Effective September 12, 2026

Laws 2026, Ch. 243, section 1

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 154 and Ch. 243 text changes to section 33-1261 are blended in the form shown on the following pages.

BLEND OF SECTION 33-1261
Laws 2026, Chapters 154 and 243

33-1261. Flag display: for sale, rent or lease signs: political signs: political and community activities: applicability: definitions

A. Notwithstanding any provision in the condominium documents, an association shall not prohibit the outdoor display of any of the following:

- Ch. 154 { 1. The American flag or an official or replica of a flag of the uniformed services of the United States, INCLUDING A DIVISION FLAG OF THE ARMY, NAVY, MARINE CORPS, AIR FORCE, SPACE FORCE OR COAST GUARD, by a unit owner on that unit owner's property if the American flag or a uniformed services flag is displayed in a manner consistent with the federal flag code (P.L. 94-344; 90 Stat. 810; 4 United States Code sections 4 through 10).
2. The POW/MIA flag.
3. The Arizona state flag.
4. An Arizona Indian nations flag.
5. The Gadsden flag.
6. A first responder flag. A first responder flag may incorporate the design of one or two other first responder flags to form a combined flag.
7. A blue star service flag or a gold star service flag.
8. Any historic version of the American flag, including the Betsy Ross flag, without regard to how the stars and stripes are arranged on the flag.

- Ch. 243 { 9. A FLAG FROM A NATION THAT IS ALLIED WITH THE UNITED STATES AS A MAJOR NON-NATO ALLY AND THAT WAS ESTABLISHED ON MAY 14, 1948.

B. The association shall adopt reasonable rules and regulations regarding the placement and manner of display of the flags prescribed by subsection A of this section. The association rules may regulate the location and size of flagpoles but shall not prohibit installing a flagpole.

C. Notwithstanding any provision in the condominium documents, an association shall not prohibit or charge a fee for the use of, the placement of or the indoor or outdoor display of a for sale, for rent or for lease sign and a sign rider by a unit owner on that owner's property in any combination, including a sign that indicates the unit owner is offering the property for sale by owner. The size of a sign offering a property for sale, for rent or for lease shall be in conformance with the industry standard size sign, which shall not exceed eighteen by twenty-four inches, and the industry standard size sign rider, which shall not exceed six by twenty-four inches. This subsection applies only to a commercially produced sign and an association may prohibit using signs that are not commercially produced. With respect to real estate for sale, for rent or for lease in the condominium, an association shall not prohibit in any way other than as is specifically authorized by this section or otherwise regulate any of the following:

1. Temporary open house signs or a unit owner's for sale sign. The association shall not require the use of particular signs indicating an open

house or real property for sale and may not further regulate the use of temporary open house or for sale signs that are industry standard size and that are owned or used by the seller or the seller's agent.

2. Open house hours. The association may not limit the hours for an open house for real estate that is for sale in the condominium, except that the association may prohibit an open house being held before 8:00 a.m. or after 6:00 p.m. and may prohibit open house signs on the common elements of the condominium.

3. An owner's or an owner's agent's for rent or for lease sign unless an association's documents prohibit or restrict leasing of a unit or units. An association shall not further regulate a for rent or for lease sign or require the use of a particular for rent or for lease sign other than the for rent or for lease sign shall not be any larger than the industry standard size sign of eighteen by twenty-four inches and on or in the unit owner's property. If rental or leasing of a unit is allowed, the association may prohibit an open house for rental or leasing being held before 8:00 a.m. or after 6:00 p.m.

D. Notwithstanding any provision in the condominium documents, an association shall not prohibit door-to-door political activity, including solicitations of support or opposition regarding candidates or ballot issues, and shall not prohibit circulating political petitions, including candidate nomination petitions or petitions in support of or opposition to an initiative, referendum or recall or other political issue on property normally open to visitors within the association, except that an association may do the following:

1. Restrict or prohibit door-to-door political activity regarding candidates or ballot issues from sunset to sunrise.

2. Require the prominent display of an identification tag for each person engaged in the activity, along with the prominent identification of the candidate or ballot issue that is the subject of the support or opposition.

3. Prohibit a person who is not accompanied by a unit owner or resident of the condominium from entering the condominium premises if the condominium restricts vehicular or pedestrian access.

E. Notwithstanding any provision in the condominium documents, an association shall not prohibit the indoor or outdoor display of a political sign by a unit owner by placement of a sign on that unit owner's property, including any limited common elements for that unit that are doors, walls or patios or other limited common elements that touch the unit, other than the roof. An association may prohibit the display of political signs as follows:

1. Earlier than seventy-one days before the day of a primary election.

2. Later than fifteen days after the day of the general election.

3. For a sign for a candidate in a primary election who does not advance to the general election, later than fifteen days after the primary election.

F. An association may regulate the size and number of political signs that may be placed in the common element ground, on a unit owner's property or on a limited common element for that unit if the association's regulation

is not more restrictive than any applicable city, town or county ordinance that regulates the size and number of political signs on residential property. If the city, town or county in which the property is located does not regulate the size and number of political signs on residential property, the association shall not limit the number of political signs, except that the maximum aggregate total dimensions of all political signs on a unit owner's property shall not exceed nine square feet. An association shall not make any regulations regarding the number of candidates supported, the number of public officers supported or opposed in a recall or the number of propositions supported or opposed on a political sign.

G. An association shall not require political signs to be commercially produced or professionally manufactured or prohibit the utilization of both sides of a political sign.

H. Notwithstanding any provision in the condominium documents, an association may not prohibit or unreasonably restrict the indoor or outdoor display of an association-specific political sign by a unit owner by placement of a sign on that unit owner's property, including any limited common elements for that unit that are doors, walls or patios or other limited common elements that touch the unit, other than the roof. An association may adopt reasonable rules regarding the placement, location and manner of display of association-specific political signs, except an association shall not do any of the following:

1. Prohibit the display of association-specific political signs between the date that the association provides written or absentee ballots to unit owners and three days after the condominium election.

2. Limit the number of association-specific political signs, except that the association may limit the aggregate total dimensions of all association-specific political signs on a unit owner's property to not more than nine square feet.

3. Require association-specific political signs to be commercially produced or professionally manufactured or prohibit using both sides of the sign.

4. Regulate the number of candidates supported or opposed, the number of board members supported or opposed in a recall or the number of ballot measures supported or opposed on an association-specific political sign.

5. Make any other regulations regarding the content of an association-specific political sign, except that the association may prohibit using profanity and discriminatory text, images or content based on race, color, religion, sex, familial status or national origin as prescribed by federal or state fair housing laws.

I. Notwithstanding any provision in the condominium documents, an association may not prohibit or unreasonably restrict a unit owner's ability to peacefully assemble and use common elements of the condominium if done in compliance with reasonable restrictions for the use of that property adopted by the board of directors. An individual unit owner or group of unit owners may assemble to discuss matters related to the condominium, including board of director elections or recalls, potential or actual ballot issues or revisions to the condominium documents, property maintenance or safety issues or any other condominium matters. A unit owner may invite one political candidate or one non-unit owner guest to speak to an assembly

of unit owners about matters related to the condominium. The association shall not prohibit a unit owner from posting notices regarding those assemblies of unit owners on bulletin boards located on the common elements or within common element facilities. An assembly of unit owners prescribed by this subsection does not constitute an official unit owners' meeting unless the meeting is noticed and convened as prescribed in the condominium documents and this chapter.

J. An association or managing agent that violates subsection C of this section forfeits and extinguishes the lien rights authorized under section 33-1256 against that unit for a period of six consecutive months after the date of the violation.

K. This section does not apply to timeshare plans or associations that are subject to chapter 20 of this title.

Ch. 154

~~L. An association or managing agent that violates subsection C of this section forfeits and extinguishes the lien rights authorized under section 33-1256 against that unit for a period of six consecutive months after the date of the violation.~~

~~M.~~ L. For the purposes of this section:

1. "Association-specific political sign" means a sign that supports or opposes a candidate for the board of directors, the recall of a board member or a condominium ballot measure that requires a vote of the association unit owners.

2. "Betsy Ross flag" means a historic flag of the United States that consists of thirteen stripes alternating between red and white stripes and thirteen five-pointed white stars arranged in a circle against a blue background.

Ch. 154

3. "DIVISION FLAG" MEANS A FLAG THAT IS OFFICIALLY AUTHORIZED BY THE UNITED STATES ARMY, NAVY, MARINE CORPS, AIR FORCE, SPACE FORCE OR COAST GUARD TO REPRESENT A DIVISION LEVEL UNIT, THAT BEARS THE UNIT'S APPROVED INSIGNIA, DESIGNATION OR NICKNAME AND THAT IS USED FOR CEREMONIAL, IDENTIFICATION OR REPRESENTATIONAL PURPOSES.

~~3.~~ 4. "First responder flag" means a flag that recognizes and honors the services of any of the following:

(a) Law enforcement and that is limited to the colors blue, black and white, the words "law enforcement", "police", "officers", "first responder", "honor our", "support our" and "department" and the symbol of a generic police shield in a crest or star shape.

(b) Fire departments and that is limited to the colors red, gold, black and white, the words "fire", "fighters", "F", "D", "FD", "first responder", "department", "honor our" and "support our" and the symbol of a generic Maltese Cross.

(c) Paramedics or emergency medical technicians and that is limited to the colors blue, black and white, the words "first responder", "paramedic", "emergency medical", "service", "technician", "honor our" and "support our" and the symbol of a generic star of life.

~~4.~~ 5. "Political sign" means a sign or flag that attempts to influence the outcome of an election, including supporting or opposing the recall of a public officer or supporting or opposing the circulation of a petition for a ballot measure, question or proposition or the recall of a public officer.

EXPLANATION OF BLEND
SECTION 33-1808

Laws 2026, Chapters 154 and 243

Laws 2026, Ch. 154, section 2

Effective September 12, 2026

Laws 2026, Ch. 243, section 2

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 154 and Ch. 243 text changes to section 33-1808 are blended in the form shown on the following pages.

BLEND OF SECTION 33-1808
Laws 2026, Chapters 154 and 243

33-1808. Flag display: political signs: caution signs: for sale, rent or lease signs: political and community activities: definitions

A. Notwithstanding any provision in the community documents, an association shall not prohibit the outdoor front yard or backyard display of any of the following:

- Ch. 154 { 1. The American flag or an official or replica of a flag of the uniformed services of the United States, INCLUDING A DIVISION FLAG OF THE ARMY, NAVY, MARINE CORPS, AIR FORCE, SPACE FORCE OR COAST GUARD, by an association member on that member's property if the American flag or a uniformed services flag is displayed in a manner consistent with the federal flag code (P.L. 94-344; 90 Stat. 810; 4 United States Code sections 4 through 10).
2. The POW/MIA flag.
3. The Arizona state flag.
4. An Arizona Indian nations flag.
5. The Gadsden flag.
6. A first responder flag. A first responder flag may incorporate the design of one or two other first responder flags to form a combined flag.
7. A blue star service flag or a gold star service flag.
8. Any historic version of the American flag, including the Betsy Ross flag, without regard to how the stars and stripes are arranged on the flag.

- Ch. 243 { 9. A FLAG FROM A NATION THAT IS ALLIED WITH THE UNITED STATES AS A MAJOR NON-NATO ALLY AND THAT WAS ESTABLISHED ON MAY 14, 1948.

B. The association shall adopt reasonable rules and regulations regarding the placement and manner of display of the flags prescribed by subsection A of this section. The association rules:

1. May regulate the location and size of flagpoles.
2. May limit the member to two wall-mounted flagpole holders.
3. May limit the member to displaying not more than two flags at once.
4. May limit the height of the flagpole to not more than the height of the rooftop of the member's home.
5. Shall not prohibit installing a flagpole in the front yard or backyard of the member's property.

C. Notwithstanding any provision in the community documents, an association shall not prohibit the indoor or outdoor display of a political sign by an association member on that member's property, except that an association may prohibit the display of political signs as follows:

1. Earlier than seventy-one days before the day of a primary election.

2. Later than fifteen days after the day of the general election.

3. For a sign for a candidate in a primary election who does not advance to the general election, later than fifteen days after the primary election.

D. An association may regulate the size and number of political signs that may be placed on a member's property if the association's regulation is not more restrictive than any applicable city, town or county ordinance that regulates the size and number of political signs on residential property. If the city, town or county in which the property is located does not regulate the size and number of political signs on residential property, the association shall not limit the number of political signs, except that the maximum aggregate total dimensions of all political signs on a member's property shall not exceed nine square feet.

E. Notwithstanding any provision in the community documents, an association shall not prohibit using cautionary signs regarding children if the signs are used and displayed as follows:

1. The signs are displayed in residential areas only.

2. The signs are removed within one hour of children ceasing to play.

3. The signs are displayed only when children are actually present within fifty feet of the sign.

4. The temporary signs are not taller than three feet in height.

5. The signs are professionally manufactured or produced.

F. Notwithstanding any provision in the community documents, an association shall not prohibit children who reside in the planned community from engaging in recreational activity on residential roadways that are under the jurisdiction of the association and on which the posted speed limit is twenty-five miles per hour or less.

G. Notwithstanding any provision in the community documents, an association shall not prohibit or charge a fee for the use of, the placement of or the indoor or outdoor display of a for sale, for rent or for lease sign and a sign rider by an association member on that member's property in any combination, including a sign that indicates the member is offering the property for sale by owner. The size of a sign offering a property for sale, for rent or for lease shall be in conformance with the industry standard size sign, which shall not exceed eighteen by twenty-four inches, and the industry standard size sign rider, which shall not exceed six by twenty-four inches. This subsection applies only to a commercially produced sign, and an association may prohibit using signs that are not commercially produced. With respect to real estate for sale, for rent or for lease in the planned community, an association shall not prohibit in any way other than as is specifically authorized by this section or otherwise regulate any of the following:

1. Temporary open house signs or a member's for sale sign. The association shall not require the use of particular signs indicating an open house or real property for sale and may not further regulate the use of temporary open house or for sale signs that are industry standard size and that are owned or used by the seller or the seller's agent.

2. Open house hours. The association may not limit the hours for an open house for real estate that is for sale in the planned community, except that the association may prohibit an open house being held before 8:00 a.m. or after 6:00 p.m. and may prohibit open house signs on the common areas of the planned community.

3. An owner's or an owner's agent's for rent or for lease sign unless an association's documents prohibit or restrict leasing of a member's property. An association shall not further regulate a for rent or for lease sign or require the use of a particular for rent or for lease sign other than the for rent or for lease sign shall not be any larger than the industry standard size sign of eighteen by twenty-four inches on or in the member's property. If rental or leasing of a member's property is not prohibited or restricted, the association may prohibit an open house for rental or leasing being held before 8:00 a.m. or after 6:00 p.m.

H. Notwithstanding any provision in the community documents, an association shall not prohibit door-to-door political activity, including solicitations of support or opposition regarding candidates or ballot issues, and shall not prohibit circulating political petitions, including candidate nomination petitions or petitions in support of or opposition to an initiative, referendum or recall or other political issue on property normally open to visitors within the association, except that an association may do the following:

1. Restrict or prohibit the door-to-door political activity from sunset to sunrise.

2. Require the prominent display of an identification tag for each person engaged in the activity, along with the prominent identification of the candidate or ballot issue that is the subject of the support or opposition.

3. Prohibit a person who is not accompanied by a member or resident of the planned community from entering the planned community if the planned community restricts vehicular or pedestrian access.

I. A planned community shall not make any regulations regarding the number of candidates supported, the number of public officers supported or opposed in a recall or the number of propositions supported or opposed on a political sign.

J. A planned community shall not require political signs to be commercially produced or professionally manufactured or prohibit the utilization of both sides of a political sign.

K. Notwithstanding any provision in the community documents, an association may not prohibit or unreasonably restrict the indoor or outdoor display of an association-specific political sign by a member by placement of a sign on that member's property. An association may adopt reasonable rules regarding the placement, location and manner of display of association-specific political signs, except an association shall not do any of the following:

1. Prohibit the display of association-specific political signs between the date that the association provides written or absentee ballots to members and three days after the planned community election.

2. Limit the number of association-specific political signs, except that the association may limit the aggregate total dimensions of all

association-specific political signs on a member's property to not more than nine square feet.

3. Require association-specific political signs to be commercially produced or professionally manufactured or prohibit using both sides of the sign.

4. Regulate the number of candidates supported or opposed, the number of board members supported or opposed in a recall or the number of ballot measures supported or opposed on an association-specific political sign.

5. Make any other regulations regarding the content of an association-specific political sign except that the association may prohibit using profanity and discriminatory text, images or content based on race, color, religion, sex, familial status or national origin as prescribed by federal or state fair housing laws.

L. Notwithstanding any provision in the community documents, an association may not prohibit or unreasonably restrict a member's ability to peacefully assemble and use common areas of the planned community if done in compliance with reasonable restrictions for the use of that property adopted by the board of directors. An individual member or group of members may assemble to discuss matters related to the planned community, including board elections or recalls, potential or actual ballot issues or revisions to the community documents, property maintenance or safety issues or any other planned community matters. A member may invite one political candidate or one non-member guest to speak to an assembly of members about matters related to the community. The association shall not prohibit a member from posting notices regarding those assemblies of members on bulletin boards located on the common areas or within common area facilities. An assembly of members prescribed by this subsection does not constitute an official members' meeting unless the meeting is noticed and convened as prescribed in the community documents and this chapter.

M. An association or managing agent that violates subsection G of this section forfeits and extinguishes the lien rights authorized under section 33-1807 against that member's property for a period of six consecutive months after the date of the violation.

N. For the purposes of this section:

1. "Association-specific political sign" means a sign that supports or opposes a candidate for the board of directors, the recall of a board member or a planned community ballot measure that requires a vote of the association members.

2. "Betsy Ross flag" means a historic flag of the United States that consists of thirteen stripes alternating between red and white stripes and thirteen five-pointed white stars arranged in a circle against a blue background.

3. "DIVISION FLAG" MEANS A FLAG THAT IS OFFICIALLY AUTHORIZED BY THE UNITED STATES ARMY, NAVY, MARINE CORPS, AIR FORCE, SPACE FORCE OR COAST GUARD TO REPRESENT A DIVISION LEVEL UNIT, THAT BEARS THE UNIT'S APPROVED INSIGNIA, DESIGNATION OR NICKNAME AND THAT IS USED FOR CEREMONIAL, IDENTIFICATION OR REPRESENTATIONAL PURPOSES.

~~3.~~ 4. "First responder flag" means a flag that recognizes and honors the services of any of the following:

Ch. 154

(a) Law enforcement and that is limited to the colors blue, black and white, the words "law enforcement", "police", "officers", "first responder", "honor our", "support our" and "department" and the symbol of a generic police shield in a crest or star shape.

(b) Fire departments and that is limited to the colors red, gold, black and white, the words "fire", "fighters", "F", "D", "FD", "first responder", "department", "honor our" and "support our" and the symbol of a generic Maltese Cross.

(c) Paramedics or emergency medical technicians and that is limited to the colors blue, black and white, the words "first responder", "paramedic", "emergency medical", "service", "technician", "honor our" and "support our" and the symbol of a generic star of life.

~~4.~~ 5. "Political sign" means a sign or flag that attempts to influence the outcome of an election, including supporting or opposing the recall of a public officer or supporting or opposing the circulation of a petition for a ballot measure, question or proposition or the recall of a public officer.

EXPLANATION OF BLEND
SECTION 36-543

Laws 2026, Chapters 160 and 161

Laws 2026, Ch. 160, section 5

Effective September 12, 2026

Laws 2026, Ch. 161, section 2

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 160 and Ch. 161 text changes to section 36-543 are blended in the form shown on the following pages.

BLEND OF SECTION 36-543
Laws 2026, Chapters 160 and 161

36-543. Annual review: patients with a grave disability or a persistent or acute disability; notice; court order for continued treatment; rules; immunity

A. Within ninety days before the expiration of a court order for treatment, the medical director of the mental health treatment agency shall conduct an annual review of a patient who has been found to have a grave disability or a persistent or acute disability and who is undergoing court-ordered treatment to determine whether the continuation of court-ordered treatment is appropriate and to assess the needs of the patient for guardianship or conservatorship, or both. The annual review shall consist of the mental health treatment and clinical records contained in

the patient's treatment file. IN DETERMINING WHETHER A CONTINUATION OF COURT-ORDERED TREATMENT IS APPROPRIATE, AS PART OF ITS ANNUAL REVIEW THE MENTAL HEALTH TREATMENT AGENCY SHALL SOLICIT, ACCEPT AND CONSIDER INFORMATION RELEVANT TO THE HISTORY OF THE PATIENT'S BEHAVIOR DURING AND BEFORE THE PERIOD OF COURT-ORDERED TREATMENT FROM PERSONS KNOWN TO THE MENTAL HEALTH TREATMENT AGENCY WHO HAVE A SIGNIFICANT RELATIONSHIP WITH THE PROPOSED PATIENT, INCLUDING FAMILY MEMBERS AND GUARDIANS. The mental health

treatment agency shall keep a record of the annual review. If the medical director OF THE MENTAL HEALTH TREATMENT AGENCY believes that a continuation of court-ordered treatment is appropriate, the medical director of the mental health treatment agency shall appoint one or more psychiatrists to carry out a psychiatric examination of the patient. In any proceeding conducted pursuant to this section, a patient has the right to have an analysis of the patient's mental condition by an independent evaluation pursuant to section 36-538.

B. Each examiner participating in the psychiatric examination of the patient shall submit a report to the medical director of the mental health treatment agency that includes the following:

1. The examiner's opinions as to whether the patient continues to have a grave disability or a persistent or acute disability as the result of a mental disorder and be in need of continued court-ordered treatment. In evaluating the patient's need for continued court-ordered treatment, the examiner must consider, along with all other evidence, the patient's history before and during the current period of court-ordered treatment, the patient's compliance with recommended treatment and any other evidence relevant to the patient's ability and willingness to follow recommended treatment with or without a court order.

2. A statement as to whether suitable alternatives to court-ordered treatment are available.

3. A statement as to whether voluntary treatment would be appropriate.

Ch. 161

Chs. 160
and 161

4. A review of the patient's status as to guardianship or conservatorship, or both, the adequacy of existing protections of the patient and the continued need for guardianship or conservatorship, or both. If the examiner concludes that the patient's needs in these areas are not being adequately met, the examiner's report shall recommend that the court order an investigation into the patient's needs.

5. If the patient has an existing guardian who does not have the mental health powers authorized pursuant to section 14-5312.01, a recommendation as to whether the additional mental health powers authorized by section 14-5312.01 should be imposed on the existing guardian and whether the patient's needs can be adequately addressed by a guardian with mental health powers without the need for a court order for treatment or whether the court order for treatment should continue regardless of the additional mental health powers imposed on the guardian.

6. The results of any physical examination conducted during the period of court-ordered treatment if relevant to the psychiatric condition of the patient.

C. After conducting the annual review as prescribed in this section, if the medical director OF THE MENTAL HEALTH TREATMENT AGENCY believes that continued court-ordered treatment is necessary or appropriate, not later than thirty days before the expiration of the court order for treatment, the medical director OF THE MENTAL HEALTH TREATMENT AGENCY shall file with the court an application for continued court-ordered treatment alleging the basis for the application and shall file simultaneously with the application any psychiatric examination conducted as part of the annual review. If the patient is under guardianship, the medical director OF THE MENTAL HEALTH TREATMENT AGENCY shall mail a copy of the application to the patient's guardian. AFTER CONDUCTING THE ANNUAL REVIEW AS PRESCRIBED IN THIS SECTION, IF THE PATIENT IS UNDER A GUARDIANSHIP AND THE MEDICAL DIRECTOR OF THE MENTAL HEALTH TREATMENT AGENCY DECIDES NOT TO FILE AN APPLICATION FOR CONTINUED COURT-ORDERED TREATMENT, THE MENTAL HEALTH TREATMENT AGENCY SHALL NOTIFY THE PATIENT'S GUARDIAN OF THIS DECISION AT LEAST THIRTY DAYS BEFORE THE EXPIRATION OF THE COURT ORDER FOR TREATMENT. THE GUARDIAN MAY REQUEST THAT THE PATIENT BE EVALUATED BY AN INDEPENDENT EVALUATOR PURSUANT TO SECTION 36-538.

D. AT LEAST FIFTEEN DAYS BEFORE THE EXPIRATION OF THE COURT ORDER FOR TREATMENT, THE PATIENT'S GUARDIAN MAY FILE WITH THE COURT AN APPLICATION FOR CONTINUED COURT-ORDERED TREATMENT ALLEGING THE BASIS FOR THE APPLICATION AND SHALL FILE SIMULTANEOUSLY WITH THE APPLICATION ANY PSYCHIATRIC EXAMINATION CONDUCTED ON THE PATIENT TO SUPPORT THE APPLICATION. THE APPLICATION AND ANY HEARING HELD PURSUANT TO THIS SUBSECTION SHALL COMPLY WITH SUBSECTIONS E, F AND G OF THIS SECTION.

~~D.~~ E. If an application for continued court-ordered treatment is filed, all of the following apply:

1. If the patient does not have an attorney, the court shall appoint an attorney to represent the patient.

2. Within ten days after appointment, an attorney appointed pursuant to this subsection, to the extent possible, shall fulfill the duties imposed pursuant to section 36-537, review the ~~medical director's~~ report OF THE MEDICAL DIRECTOR OF THE MENTAL HEALTH TREATMENT AGENCY and the patient's

Chs. 160
and 161

Ch. 161

Chs. 160
and 161

medical records, interview any physician who prepared a report on the annual review and file a response requesting a hearing or submitting the matter to the court for a ruling based on the record without a hearing.

3. If a hearing is not requested, the court shall rule on the application or set the matter for hearing. If a hearing is requested, the hearing shall be held within three weeks after the request for hearing is filed. The hearing may be continued for good cause on motion of a party or on the court's own motion, and the expiration of the current court order for treatment may be extended until a ruling by the court on an application filed pursuant to this subsection.

4. The patient's attorney must be present at all hearings and may subpoena and cross-examine witnesses and present evidence. The patient has the right to attend all hearings, but may choose not to attend a hearing. The patient's attorney may waive the patient's presence after speaking with the patient and confirming that the patient understands the right to be present and does not desire to attend. If the patient is unable to be present at the hearing for medical or psychiatric reasons and the hearing cannot be conducted where the patient is being treated or confined, or the patient cannot appear by another reasonably feasible means, the court shall require clear and convincing evidence that the patient is unable to be present at the hearing and on such a finding may proceed with the hearing in the patient's absence.

5. The evidence presented by the applicant includes the testimony of one or more witnesses acquainted with the patient during the period of court-ordered treatment, which may be satisfied by a statement agreed on by the parties, and the testimony of any physician who performed an annual review of the patient, which may be satisfied by stipulating to the admission of the examining physicians' written report prepared pursuant to subsection B of this section. The court may waive the need for the applicant to present the testimony of witnesses acquainted with the patient as required by this subsection, if it finds that the need for a continued court order for treatment has been established by clear and convincing evidence from the other testimony and evidence presented at the hearing. **THE COURT, FOR GOOD CAUSE SHOWN, MAY ALLOW THE PATIENT, THE PATIENT'S ATTORNEY OR ANY WITNESS TO APPEAR AND PRESENT TESTIMONY IN OPEN COURT THROUGH THE USE OF TELEPHONE, VIDEOCONFERENCING OR OTHER AUDIOVISUAL TECHNOLOGY.**

Ch. 160

6. At a hearing held pursuant to this subsection, the court, with notice, may impose on an existing guardian additional powers pursuant to section 14-5312.01. If the court finds that the patient's needs can be adequately met by an existing guardian with the additional powers pursuant to section 14-5312.01 and that a court order for treatment is not necessary to ensure compliance with necessary treatment, the court may terminate the court order for treatment or decline to issue an order continuing court-ordered treatment. The court may also order an investigation into the need for guardianship or conservatorship, or both, and may appoint a suitable person or agency to conduct the investigation. The appointee may include a court-appointed guardian ad litem, a court-appointed investigator pursuant to section 14-5308 or the public fiduciary if there is no person willing and qualified to act in that capacity. The court shall give notice of the appointment to the appointee within three days after the appointment. The

appointee shall submit the report of the investigation to the court within twenty-one days. The report shall include recommendations as to who should be guardian or conservator, or both, and the findings and reasons for the recommendation. If the investigation and report so indicate, the court may authorize an appropriate person to file a petition for appointment of a guardian or conservator for the patient.

Ch. 161 — ~~E.~~ F. If a hearing is held pursuant to subsection ~~D~~ E of this section, the party seeking the renewal of the court order must prove all of the following by clear and convincing evidence:

1. The patient continues to have a mental disorder and, as a result of that disorder, has either a persistent or acute disability or a grave disability.

2. The patient is in need of continued court-ordered treatment.

3. The patient is either unwilling or unable to accept treatment voluntarily.

Ch. 161 — ~~F.~~ G. After a hearing held pursuant to subsection ~~D~~ E of this section, the court may order the patient to be released from court-ordered treatment or to undergo continued court-ordered treatment for a period not to exceed the time periods prescribed in section 36-540, subsection D.

~~G.~~ H. The director shall create and operate a program to ensure that the examination and review of persons with grave disabilities or persistent or acute disabilities under court order are carried out in an effective and timely manner. The director shall adopt rules needed to operate this program.

~~H.~~ I. The medical director of the mental health treatment agency is not civilly liable for any acts committed by the released patient if the

Ch. 160 — medical director OF THE MENTAL HEALTH TREATMENT AGENCY has in good faith complied with the requirements of this article.

EXPLANATION OF BLEND
SECTION 36-831

Laws 2026, Chapters 33 and 74

Laws 2026, Ch. 33, section 3

Effective September 12, 2026

Laws 2026, Ch. 74, section 1

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 33 and Ch. 74 text changes to section 36-831 are blended in the form shown on the following pages.

The Laws 2026, Ch. 74 version of section 36-831 deleted the comma in subsection A, paragraph 13. The Ch. 33 version showed the comma as stricken. Since this would not produce a substantive change, the blend version reflects the Ch. 33 version.

BLEND OF SECTION 36-831
Laws 2026, Chapters 33 and 74

36-831. Duty for funeral and disposition arrangements; waiver
of decision-making; counties; civil liability;
costs; veterans; immunity; definitions

A. Except as provided ~~pursuant to~~ IN subsection I or J of this section, the duty of burying the body of or providing other funeral and disposition arrangements for a ~~dead person~~ DECEDENT devolves in the following order:

1. If the ~~dead person~~ DECEDENT was married, on the surviving spouse unless:

(a) The ~~dead person~~ DECEDENT was legally separated from the [~~person's~~ DECEDENT'S] spouse.

(b) A petition for divorce or for legal separation from the ~~dead person's~~ DECEDENT'S spouse was filed before the person's death and remains pending at the time of death.

2. On the person who is designated as having power of attorney for the decedent in the decedent's most recent health care power of attorney pursuant to chapter 32, article 2 of this title if that power of attorney specifically gives that person the authority to make decisions regarding the disposition of the decedent's remains or a durable power of attorney if that power of attorney specifically gives that person the authority to make decisions regarding the disposition of the decedent's remains.

3. If the [~~dead person~~ DECEDENT] was a minor, on the parents, UNLESS THERE HAS BEEN AN AWARD OF LEGAL DECISION-MAKING OR THERE IS A PARENTING PLAN THAT PRESCRIBES WHICH PARENT HAS FINAL AUTHORITY TO MAKE LEGAL DECISIONS ON BEHALF OF THE CHILD.

4. On the adult children of the ~~dead person~~ DECEDENT.

5. On the ~~dead person's~~ DECEDENT'S parent.

6. On the ~~dead person's~~ DECEDENT'S adult sibling.

7. On the ~~dead person's~~ DECEDENT'S adult grandchild.

8. On the ~~dead person's~~ DECEDENT'S grandparent.

9. On an adult who exhibited special care and concern for the ~~dead person~~ DECEDENT.

10. On the person who was acting as the guardian of the person of the ~~dead person~~ DECEDENT at the time of death.

11. On any other person who has the authority to dispose of the ~~dead person's~~ DECEDENT'S body.

12. If none of the persons named in paragraphs 1 through 11 of this subsection is financially capable of providing for the burial or other funeral and disposition arrangements, or cannot be located on reasonable inquiry, on any person or fraternal, charitable or religious organization willing to assume responsibility.

Chs. 33
and 74

Ch. 33

Ch. 74

Chs. 33
and 74

Chs. 33
and 74

Chs. 33
and 74

13. If the ~~dead person~~ **DECEDENT** was a prisoner in the custody of the state department of corrections at the time of death and none of the persons named in paragraphs 1 through 11 of this subsection is willing to provide for the burial or other funeral and disposition arrangements, or cannot be located on reasonable inquiry, on the state department of corrections.

B. During a person's life, the person's family members that are listed in subsection A of this section may sign a waiver of ~~decision making~~ **DECISION-MAKING** that waives their rights under this section relating to the disposition of the person's body when the person dies.

Ch. 33

C. If none of the persons named in subsection A of this section is willing or financially able to bury or provide other funeral and disposition arrangements for a ~~dead~~ **DECEASED** person, or if the person cannot be located after reasonable efforts have been made to do so, the county in which death occurs shall bury or place in a permanent care crypt the dead body or cremated remains of a dead body. The county officer who is responsible for determining financial eligibility or abandonment may conduct an investigation for that purpose. If the decedent is known to be an honorably discharged veteran or the surviving spouse of an honorably discharged veteran, the county shall notify the United States department of veterans affairs or a local veteran's organization, or both, of the death and give the department or that organization the opportunity to provide for the person's burial or for other funeral and disposition arrangements. If the department or organization is unable to provide for the burial of the veteran or the surviving spouse, the county shall ensure that the decedent is properly interred and that burial is made in a veterans' cemetery or a portion of a cemetery that is designated for the burial of veterans and spouses of veterans.

D. If there is more than one member of a category listed in subsection A, paragraph 3, 4, 5, 6, 7, 8 or 9 of this section entitled to serve as the authorizing agent, final arrangements may be made by any member of that category unless that member knows of any objection by another member of the category. If an objection is known, final arrangements shall be made by a majority of the members of the category who are reasonably available.

Ch. 33

E. If the county medical examiner or person ~~performing~~ **AUTHORIZED TO PERFORM** the duties of the county medical examiner, **INCLUDING A MEDICAL STUDENT, RESIDENT OR FELLOW IN PATHOLOGY TRAINING UNDER THE SUPERVISION OF A LICENSED PHYSICIAN WHO IS TRAINED IN FORENSIC PATHOLOGY**, knows that the ~~dead person~~ **DECEASED** is a member of a federally recognized Native American tribe located in this state, the county medical examiner or person ~~performing~~ **AUTHORIZED TO PERFORM** the duties of the county medical examiner must notify the tribe and give the tribe the opportunity to provide for the person's burial or other funeral and disposition arrangements. If an autopsy is required by section 11-597, the county medical examiner or person ~~performing~~ **AUTHORIZED TO PERFORM** the duties of the county medical examiner, if possible, shall complete the autopsy and return the remains to the federally recognized Native American tribe located in this state within four calendar days after the determined date of death.

F. A person on whom the duty prescribed in subsection A of this section is imposed who omits or is unwilling to perform that duty within a reasonable time or is prohibited from performing that duty under subsection

I of this section is liable to the person performing the duty in an amount of two times the expenses the person incurred in providing for the burial or other funeral and disposition arrangements. The person who performs this duty may recover this amount in a civil action.

Chs. 33
and 74

G. Notwithstanding the probate requirements of title 14, if a county is required to bury a person pursuant to subsection C of this section, the county may recover the burial costs from the decedent's estate. The county may record a lien on the decedent's estate, and the lien takes priority over a beneficiary deed. A financial institution ~~in possession of~~ THAT POSSESSES monies in an account in the decedent's name must reimburse the county for the burial costs on presentation by the county of an affidavit that certifies:

1. The date of the decedent's death.
2. That, pursuant to this section, the county performed the decedent's burial.
3. The total burial costs incurred by the county.

H. A person, a corporation or an agency of government that provides for the burial or other funeral and disposition arrangements on the instructions of a person described in subsection A of this section is immune from civil liability:

Chs. 33
and 74

1. For failing to honor the wishes of the decedent or the wishes of a person who has a higher priority AS PRESCRIBED in subsection A or C of this section if the person, corporation or agency of government was not aware, after reasonable inquiry, of the contrary wishes.

2. For refusing to follow conflicting directions of persons who have the same priority AS PRESCRIBED in subsection A of this section.

3. For following directions of a personal representative that are consistent with the written testamentary instructions of the decedent.

I. The duty to bury or to provide other funeral and disposition arrangements devolves to the next person in the order prescribed pursuant to IN subsection A of this section if the person who is otherwise responsible for performing this duty is charged with the criminal death of the person to whom the duty is owed and the funeral director is aware of the charge. The person who performs this duty may recover costs as prescribed in subsection F of this section. If the charges against the person on whom this duty originally fell are subsequently dismissed or are resolved in that person's favor on the merits, the person is responsible for only the actual costs.

J. If the decedent died while serving in any branch of the United States armed forces, the United States reserve forces or the national guard, and completed a United States department of defense record of emergency data, DD form 93, or its successor form, the duty to bury the decedent or to provide other funeral and disposition arrangements for the decedent devolves on the person authorized by the decedent pursuant to that form.

Chs. 33
and 74

K. A person that possesses unclaimed cremated remains may release to the United States department of veterans affairs or a veterans' service organization verification information associated with the remains to verify whether the remains are of a veteran or a veteran's dependent WHO IS eligible to be interred in a veterans' cemetery if the person has possessed the cremated remains for at least one year, a person described in subsection A

of this section has not claimed the cremated remains and the person made a reasonable effort to locate a relative of the decedent to claim the remains. If the person receives notice from the United States department of veterans affairs or a veterans' service organization that the unclaimed cremated remains are the remains of a veteran or a veteran's dependent WHO IS eligible to be interred in a veterans' cemetery, the person may transfer the cremated remains to a veterans' service organization, which must ensure that the cremated remains are interred in a veterans' cemetery or transport the cremated remains to a veterans' cemetery for burial.

Chs. 33
and 74

L. A person that releases verification information pursuant to subsection K of this section or that transfers cremated remains to a veterans' service organization or a veterans' cemetery pursuant to subsection K of this section is immune from civil liability for damages resulting from the release or transfer. A veterans' service organization that inters cremated remains in or transports cremated remains to a veterans' cemetery pursuant to subsection K of this section is immune from civil liability for damages arising from the interment.

M. For the purposes of this section:

1. "Person" includes a natural person, a corporation, a company, a partnership, a firm, an association, a society, the United States, this state, any territory, state or country, an Arizona federally recognized Native American tribe, any political subdivision of this state or a public or private corporation, a partnership or association or a veterans' service organization.

2. "Verification information":

(a) Means data required by the United States department of veterans affairs to verify whether a person is a veteran or a veteran's dependent and is eligible for burial in a veterans' cemetery. ~~including~~

(b) INCLUDES a copy of the person's death certificate and the person's name, service number, social security number, date of birth, date of death and place of birth.

3. "Veterans' service organization" means a veterans' organization that is chartered by the United States Congress, that is recognized by the United States department of veterans affairs or that qualifies as a charitable organization that is recognized under either section 501(c)(3) or 501(c)(19) of the internal revenue code and that is organized for the verification and burial of veterans and their dependents.

N. For the purposes of this article, "burial" includes cremation.

Ch. 33
and 74

EXPLANATION OF BLEND
SECTION 36-2202

Laws 2026, Chapters 51 and 159

Laws 2026, Ch. 51, section 6

Effective September 12, 2026

Laws 2026, Ch. 159, section 1

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 51 and Ch. 159 text changes to section 36-2202 are blended in the form shown on the following pages.

BLEND OF SECTION 36-2202
Laws 2026, Chapters 51 and 159

36-2202. Duties of the director: qualifications of medical director

A. The director shall:

1. Appoint a medical director of the emergency medical services and trauma system.

2. Adopt standards and criteria for the denial or granting of certification and recertification of emergency medical care technicians. These standards shall allow the department to certify qualified emergency medical care technicians who have completed statewide standardized training required under section 36-2204, paragraph 1 and a standardized certification test required under section 36-2204, paragraph 2, who hold valid certification with a national certification organization or who have completed training and testing by the United States armed forces at a level comparable to the national standards for emergency medical care technicians. Before the director may consider approving a statewide standardized training or a standardized certification test, or both, each of these must first be recommended by the medical direction commission and the emergency medical services council to ensure that the standardized training content is consistent with national education standards and that the standardized certification test examines comparable material to that examined in the tests of a national certification organization. BEGINNING ON SEPTEMBER 12, 2026 OR ON APPROVAL FROM THE FEDERAL BUREAU OF INVESTIGATION, A PERSON APPLYING FOR INITIAL CERTIFICATION AS AN EMERGENCY MEDICAL CARE TECHNICIAN PURSUANT TO THE EMERGENCY MEDICAL SERVICES PERSONNEL LICENSURE INTERSTATE COMPACT AND IN COMPLIANCE WITH THE REQUIREMENTS OF SECTION 36-2259 SHALL POSSESS A VALID FINGERPRINT CLEARANCE CARD PURSUANT TO TITLE 41, CHAPTER 12, ARTICLE 3.1.

Ch. 159

3. Adopt standards and criteria that pertain to the quality of emergency care pursuant to section 36-2204.

4. Adopt rules necessary to carry out this chapter. Each rule shall identify all sections and subsections of this chapter under which the rule was formulated.

5. Adopt reasonable medical equipment, supply, staffing and safety standards, criteria and procedures to issue a certificate of registration

Ch. 51

—to operate an ambulance OR AIR AMBULANCE.

6. Maintain a state system for recertifying emergency medical care technicians, except as otherwise provided by section 36-2202.01, that is independent from any national certification organization recertification process. This system shall allow emergency medical care technicians to choose to be recertified under the state or the national certification organization recertification system subject to subsection H of this section.

B. Emergency medical technicians who choose the state recertification process shall recertify in one of the following ways:

1. Successfully completing an emergency medical technician refresher course approved by the department.

2. Successfully completing an emergency medical technician challenge course approved by the department.

3. For emergency medical care technicians who are currently certified at the emergency medical technician level by the department, attesting on a form provided by the department that the applicant holds a valid and current cardiopulmonary resuscitation certification, has and will maintain documented proof of a minimum of twenty-four hours of continuing medical education within the last two years consistent with department rules and has functioned in the capacity of an emergency medical technician for at least two hundred forty hours during the last two years.

Ch. 51 — C. After consultation with the emergency medical services council, the director may authorize pilot programs designed to improve the safety and efficiency of ambulance AND AIR AMBULANCE inspections for governmental or quasi-governmental entities that provide emergency medical services in this state.

Ch. 51 — D. The rules, standards and criteria adopted by the director pursuant to subsection A, paragraphs 2, 3, 4 and 5 of this section shall be adopted in accordance with title 41, chapter 6, except that the director may adopt on an emergency basis pursuant to section 41-1026 rules relating to the regulation of ambulance services AND AIR AMBULANCE SERVICES in this state necessary to protect the public peace, health and safety in advance of adopting rules, standards and criteria as otherwise provided by this subsection.

E. The director may waive the requirement for compliance with a protocol adopted pursuant to section 36-2205 if the director determines that the techniques, drug formularies or training makes the protocol inconsistent with contemporary medical practices.

F. The director may suspend a protocol adopted pursuant to section 36-2205 if the director does all of the following:

1. Determines that the rule is not in the public's best interest.

2. Initiates procedures pursuant to title 41, chapter 6 to repeal the rule.

3. Notifies all interested parties in writing of the director's action and the reasons for that action. Parties interested in receiving notification shall submit a written request to the director.

G. To be eligible for appointment as the medical director of the emergency medical services and trauma system, the person shall be qualified in emergency medicine and shall be licensed as a physician in one of the states of the United States.

H. Applicants for certification shall apply to the director for certification. Emergency medical care technicians shall apply for recertification to the director every two years. The director may extend the expiration date of an emergency medical care technician's certificate for thirty days. The department shall establish a fee for this extension by rule. Emergency medical care technicians shall pass an examination administered by the department as a condition for recertification only if

required to do so by the advanced life support base hospital's medical director or the emergency medical care technician's medical director.

I. The medical director of the emergency medical services and trauma system is exempt from title 41, chapter 4, articles 5 and 6 and is entitled to receive compensation pursuant to section 38-611, subsection A.

J. The standards, criteria and procedures adopted by the director pursuant to subsection A, paragraph 5 of this section shall require that ambulance services **AND AIR AMBULANCES SERVICES:**

1. Providing interfacility transportation, **BY AN AMBULANCE**, in any certificate of necessity area of this state have one ambulance attendant as defined in section 36-2201, paragraph ~~6~~ 9, subdivision (a), (c), (d) or (e) and one ambulance attendant as defined in section 36-2201, paragraph ~~6~~ 9, subdivision (a), (b), (c), (d), or (e) staffing an ambulance while transporting a patient. If an ambulance attendant as defined in section 36-2201, paragraph ~~6~~ 9, subdivision (b) is staffing the ambulance pursuant to this paragraph, that ambulance attendant may exclusively drive the ambulance.

2. **PROVIDING INTERFACILITY TRANSPORTATION, BY AN AIR AMBULANCE, HAVE ONE AIR AMBULANCE ATTENDANT AS DEFINED IN SECTION 36-2201, PARAGRAPH 6, SUBDIVISION (c), (d) OR (e) AND ONE AIR AMBULANCE ATTENDANT AS DEFINED IN SECTION 36-2201, PARAGRAPH 6, SUBDIVISION (a), (b) OR (d) STAFFING AN AIR AMBULANCE WHILE TRANSPORTING A PATIENT.**

~~2.~~ 3. Serving a rural or wilderness certificate of necessity area with a population of less than ten thousand persons have at least one ambulance attendant as defined in section 36-2201, paragraph ~~6~~ 9, subdivision (a), (c), (d) or (e) and one ambulance attendant as defined in section 36-2201, paragraph ~~6~~ 9, subdivision (a) or (b) staffing an ambulance while transporting a patient.

~~3.~~ 4. Serving a population of ten thousand persons or more have at least one ambulance attendant as defined in section 36-2201, paragraph ~~6~~ 9, subdivision (a) and one ambulance attendant as defined in section 36-2201, paragraph ~~6~~ 9, subdivision (a), (c), (d) or (e) staffing an ambulance while transporting a patient.

K. If the department determines there is not a qualified administrative medical director, the department shall ensure the provision of administrative medical direction for an emergency medical technician if the emergency medical technician meets all of the following criteria:

1. Is employed by a nonprofit or governmental provider employing less than twelve full-time emergency medical technicians.

2. Stipulates to the inability to secure a physician who is willing to provide administrative medical direction.

3. Stipulates that the provider agency does not provide administrative medical direction for its employees.

Ch. 51

EXPLANATION OF BLEND

SECTION 36-2212 (as amended by Laws 2025, Ch. 212, section 1)

Laws 2026, Chapters 51 and 184

Laws 2026, Ch. 51, section 11

Effective September 12, 2026

Laws 2026, Ch. 184, section 5

Effective September 12, 2026
(Retroactive to January 1, 2026)

Explanation

Since the Ch. 51 version includes all the changes made by the Ch. 184 version, the Laws 2026, Ch. 51 amendment of section 36-2212, as amended by Laws 2025, Ch. 212, section 1, is the blend of both the Laws 2026, Ch. 51 and Ch. 184 versions.

BLEND OF SECTION 36-2212 (as amended by Laws 2025, Ch. 212, section 1)
Laws 2026, Chapters 51 and 184

36-2212. Certificate of registration to operate an ambulance
or air ambulance; termination on change in
ownership; fees

A. A person shall not operate an ambulance OR AIR AMBULANCE in this state unless the ambulance OR AIR AMBULANCE has a certificate of registration and complies with this article and the rules, standards and criteria adopted pursuant to this article.

B. A person may obtain a certificate of registration to operate an ambulance OR AIR AMBULANCE by submitting an application on a form prescribed by the director and by demonstrating to the director's satisfaction that the applicant is in compliance with this article and all rules, standards and criteria adopted by the director for the operation of an ambulance OR AIR AMBULANCE.

C. A certificate of registration issued under this section terminates on any change of ownership or control of the ambulance OR AIR AMBULANCE. Following any change of ownership, the new owner of an ambulance OR AIR AMBULANCE shall apply for and receive a new certificate of registration from the director before the ambulance OR AIR AMBULANCE may again be operated in this state. This subsection does not apply if an ambulance service OR AIR AMBULANCE SERVICE borrows, leases, rents or otherwise obtains a registered ambulance OR AIR AMBULANCE from another ambulance service OR AIR AMBULANCE SERVICE to temporarily replace an inoperable ambulance OR AIR AMBULANCE.

Ch. 51

D. The department shall issue a certificate of registration to a person that complies with the requirements of this article and that pays an initial registration fee. A certificate of registration is valid for one year but an ambulance service OR AIR AMBULANCE SERVICE may request that the department issue an initial certificate of registration that expires before the end of one year in order for the department to conduct an annual inspection of all of the ambulance service's ambulances OR AIR AMBULANCE SERVICE'S AIR AMBULANCES at one time. A person may renew a certificate of registration by complying with the requirements of this article and by paying a renewal fee prescribed by the director. The fee for initial registration and registration renewal shall not exceed \$50 for each ambulance OR AIR AMBULANCE. The department shall base these fees on an amount that approximates the per vehicle costs incurred by the department to administer this chapter. The director shall deposit, pursuant to sections 35-146 and 35-147, fees collected under this subsection in the state general fund. The department shall not charge a registration fee for an ambulance to an ambulance service that operates an ambulance or ambulances, OR A REGISTRATION FEE FOR AN AIR AMBULANCE TO AN AIR AMBULANCE SERVICE THAT OPERATES AN AIR AMBULANCE OR AIR AMBULANCES, only as a volunteer not-for-profit service.

~~E. Notwithstanding the period of time for which a certificate of registration is valid pursuant to subsection D of this section, if the certificate of registration holder timely submits a complete renewal application in compliance with this article and the rules adopted pursuant to this article and the department is unable to perform an inspection of an ambulance within the time frame prescribed by section 36-2232, subsection A, paragraph 13, the department may allow an ambulance's registration to remain valid and in effect until the department completes the required inspection.~~

EXPLANATION OF BLEND
SECTION 36-2245

Laws 2026, Chapters 51 and 159

Laws 2026, Ch. 51, section 21

Effective September 12, 2026

Laws 2026, Ch. 159, section 3

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 51 and Ch. 159 text changes to section 36-2245 are blended in the form shown on the following pages.

BLEND OF SECTION 36-2245
Laws 2026, Chapters 51 and 159

36-2245. Investigations; complaints; informal interviews;
hearings; stipulations; judicial review; civil
penalty; confidentiality; applicability

A. The department may conduct an investigation into the operation of ambulances and ambulance services.

B. Proceedings under this section may be initiated by the department.

C. If the department receives a written and signed statement of dissatisfaction or dispute of charges or any matter relating to the regulation of ambulance services, the customer is deemed to have filed an informal complaint against the ambulance service. Within fifteen days ~~of receipt of~~ AFTER RECEIVING the complaint, a designated representative of the department shall inform the ambulance service that an informal complaint has been filed, state the nature of the allegations made, specify the purported rule violation and identify specific records relating to the purported rule violation that the ambulance service shall provide to the department. The ambulance service shall comply with the request for records in a timely manner.

Chs. 51
and 159

D. Within forty-five days ~~of receipt of~~ AFTER RECEIVING the records, the department shall determine ~~if~~ WHETHER the complaint is nonsubstantive or substantive.

Chs. 51
and 159

E. If the department determines that a complaint filed pursuant to this section is nonsubstantive, ~~it~~ THE DEPARTMENT shall render a written decision to all parties within five days ~~of~~ AFTER that determination. The complainant may make a formal complaint to the department if the complainant disagrees with the department's decision. If the nonsubstantive complaint involves rates and charges, a designated representative of the department shall attempt to resolve the dispute by correspondence or telephone with the ambulance service and the customer.

F. If the department determines that a complaint filed pursuant to this section is substantive, the complaint becomes a formal complaint. The department shall inform the ambulance service that the initial investigation was substantive in nature and may warrant action pursuant to this article. The department shall inform the ambulance service of the specific rule violation and shall allow the ambulance service thirty days to answer the complaint in writing.

G. The department may issue a written request for an informal interview with the ambulance service if the department believes that the evidence indicates that grounds for action exist. The request shall state the reasons for the [INFORMAL] interview and shall schedule an [INFORMAL] interview at least ten days ~~from~~ AFTER the date that the department sends the request for an interview.

Ch. 51
Chs. 51
and 159

— Ch. 159

H. If the department determines that evidence warrants action or if the ambulance service refuses to attend the informal interview, the director shall institute formal proceedings and hold a hearing pursuant to title 41, chapter 6, article 10.

I. If the department believes that a lesser disciplinary action is appropriate, the department may enter into a stipulated agreement with the ambulance service. This stipulation may include a civil penalty as provided under subsection J of this section.

Chs. 51
and 159

J. In addition to other disciplinary action provided under this section, the director may impose a civil penalty of not more than ~~three hundred fifty dollars~~ \$350 for each violation of this chapter that constitutes grounds to suspend or revoke a certificate of necessity. This penalty shall not exceed ~~fifteen thousand dollars~~ \$15,000. Each day that a violation occurs constitutes a separate offense. The director shall deposit, pursuant to sections 35-146 and 35-147, all monies collected under this subsection in the emergency medical services operating fund established ~~under~~ BY section 36-2218.

K. The director may suspend a certificate of necessity without holding a hearing if the director determines that the certificate holder has failed to pay a civil penalty imposed under this section. The director shall reinstate the certificate of necessity when the certificate holder pays the penalty in full.

L. Except as provided in section 41-1092.08, subsection H, a final decision of the department pursuant to this section is subject to judicial review pursuant to title 12, chapter 7, article 6.

M. Information, documents and records received by the department or prepared by the department in connection with an investigation that is conducted pursuant to this article and that relates to emergency medical care technicians are confidential and are not subject to public inspection or civil discovery. When the investigation has been completed and the investigation file has been closed, the results of the investigation and the decision of the department shall be available to the public. THIS SUBSECTION DOES NOT PREVENT THE DEPARTMENT FROM SUBMITTING INFORMATION IN COMPLIANCE WITH THE EMERGENCY MEDICAL SERVICES PERSONNEL LICENSURE INTERSTATE COMPACT AS REQUIRED BY SECTION 36-2259.

Ch. 159

N. THIS SECTION APPLIES TO AIR AMBULANCES AND AIR AMBULANCE SERVICES TO THE EXTENT THAT:

Ch. 51

1. THE COMPLAINT OR PROCEEDINGS INITIATED BY THE DEPARTMENT RELATE TO THE EMERGENCY MEDICAL SERVICES PROVIDED BY THE AIR AMBULANCE OR AIR AMBULANCE SERVICE.

2. THE INVESTIGATION DOES NOT CONFLICT WITH ANY FEDERAL LAW OR REGULATION GOVERNING AIR CARRIERS.

EXPLANATION OF BLEND
SECTION 36-2907

Laws 2026, Chapters 49 and 51

Laws 2026, Ch. 49, section 2

Effective September 12, 2026

Laws 2026, Ch. 51, section 23

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 49 and Ch. 51 text changes to section 36-2907 are blended in the form shown on the following pages.

BLEND OF SECTION 36-2907
Laws 2026, Chapters 49 and 51

36-2907. Covered health and medical services; modifications; related delivery of service requirements; rules; definitions

A. Subject to the limits and exclusions specified in this section, contractors shall provide the following medically necessary health and medical services:

1. Inpatient hospital services that are ordinarily furnished by a hospital to care for and treat inpatients and that are provided under the direction of a physician or a primary care practitioner. For the purposes of this section, inpatient hospital services exclude services in an institution for tuberculosis or mental diseases unless authorized under an approved section 1115 waiver.

2. Outpatient health services that are ordinarily provided in hospitals, clinics, offices and other health care facilities by licensed health care providers. Outpatient health services include services provided by or under the direction of a physician or a primary care practitioner, including occupational therapy.

3. Other laboratory and X-ray services ordered by a physician or a primary care practitioner.

4. Medications that are ordered on prescription by a physician or a dentist who is licensed pursuant to title 32, chapter 11. Persons who are dually eligible for title XVIII and title XIX services must obtain available medications through a medicare licensed or certified medicare advantage prescription drug plan, a medicare prescription drug plan or any other entity authorized by medicare to provide a medicare part D prescription drug benefit.

5. Medical supplies, durable medical equipment, insulin pumps and prosthetic devices ordered by a physician or a primary care practitioner. Suppliers of durable medical equipment shall provide the administration with complete information about the identity of each person who has an ownership or controlling interest in their business and shall comply with federal bonding requirements in a manner prescribed by the administration.

6. For persons who are at least twenty-one years of age, treatment of medical conditions of the eye, excluding eye examinations for prescriptive lenses and the provision of prescriptive lenses.

7. Early and periodic health screening and diagnostic services as required by section 1905(r) of title XIX of the social security act for members who are under twenty-one years of age.

8. Family planning services that do not include abortion or abortion counseling. If a contractor elects not to provide family planning services, this election does not disqualify the contractor from delivering all other covered health and medical services under this chapter. In that event, the

administration may contract directly with another contractor, including an outpatient surgical center or a noncontracting provider, to deliver family planning services to a member who is enrolled with the contractor that elects not to provide family planning services.

9. Podiatry services that are performed by a podiatrist who is licensed pursuant to title 32, chapter 7 and ordered by a primary care physician or primary care practitioner.

10. Nonexperimental transplants approved for title XIX reimbursement.

11. Dental services as follows:

(a) Except as provided in subdivision (b) of this paragraph, for persons who are at least twenty-one years of age, emergency dental care and extractions in an annual amount of not more than \$1,000 per member.

(b) Subject to approval by the centers for medicare and medicaid services, for persons treated at an Indian health service or tribal facility, adult dental services that are eligible for a federal medical assistance percentage of one hundred percent and that exceed the limit prescribed in subdivision (a) of this paragraph.

Ch. 51 — 12. **AIR AMBULANCE**, ambulance and nonambulance transportation, except as provided in subsection G of this section.

13. Hospice care.

14. Orthotics, if all of the following apply:

(a) The use of the orthotic is medically necessary as the preferred treatment option consistent with medicare guidelines.

(b) The orthotic is less expensive than all other treatment options or surgical procedures to treat the same diagnosed condition.

(c) The orthotic is ordered by a physician or primary care practitioner.

15. Subject to approval by the centers for medicare and medicaid services, medically necessary chiropractic services that are performed by a chiropractor who is licensed pursuant to title 32, chapter 8 and that are ordered by a primary care physician or primary care practitioner pursuant to rules adopted by the administration. The primary care physician or primary care practitioner may initially order up to twenty visits annually that include treatment and may request authorization for additional chiropractic services in that same year if additional chiropractic services are medically necessary.

16. For up to ten program hours annually, diabetes outpatient self-management training services, as defined in 42 United States Code section 1395x, if prescribed by a primary care practitioner in either of the following circumstances:

(a) The member is initially diagnosed with diabetes.

(b) For a member who has previously been diagnosed with diabetes, either:

(i) A change occurs in the member's diagnosis, medical condition or treatment regimen.

(ii) The member is not meeting appropriate clinical outcomes.

17. Pursuant to the terms and conditions that are approved by the centers for medicare and medicaid services and subject to available funding, traditional healing services, if both of the following apply:

(a) The member qualifies for services through the Indian health service or a tribal facility pursuant to the conditions of participation outlined in 42 Code of Federal Regulations section 136.12.

(b) The traditional healing service is delivered by or through the Indian health service or a tribal facility.

B. The limits and exclusions for health and medical services provided under this section are as follows:

1. Circumcision of newborn males is not a covered health and medical service.

2. For eligible persons who are at least twenty-one years of age:

(a) Prosthetic devices do not include hearing aids, dentures or bone-anchored hearing aids. Prosthetic devices, except prosthetic implants, may be limited to \$12,500 per contract year.

(b) Percussive vests are not covered health and medical services.

(c) Durable medical equipment is limited to items covered by medicare.

(d) Nonexperimental transplants do not include pancreas-only transplants.

(e) Bariatric surgery procedures, including laparoscopic and open gastric bypass and restrictive procedures, are not covered health and medical services.

C. The system shall pay noncontracting providers only for health and medical services as prescribed in subsection A of this section and as prescribed by rule.

D. The director shall adopt rules necessary to limit, to the extent possible, the scope, duration and amount of services, including maximum limits for inpatient services that are consistent with federal regulations under title XIX of the social security act (P.L. 89-97; 79 Stat. 344; 42 United States Code section 1396 (1980)). To the extent possible and practicable, these rules shall provide for the prior approval of medically necessary services provided pursuant to this chapter.

E. The director shall make available home health services in lieu of hospitalization pursuant to contracts awarded under this article. For the purposes of this subsection, "home health services" means the provision of nursing services, home health aide services or medical supplies, equipment and appliances that are provided on a part-time or intermittent basis by a licensed home health agency within a member's residence based on the orders of a physician or a primary care practitioner. Home health agencies shall comply with the federal bonding requirements in a manner prescribed by the administration.

F. The director shall adopt rules for the coverage of behavioral health services for persons who are eligible under section 36-2901, paragraph 6, subdivision (a). The administration acting through the regional behavioral health authorities shall establish a diagnostic and evaluation program to which other state agencies shall refer children who are not already enrolled pursuant to this chapter and who may be in need of behavioral health services. In addition to an evaluation, the administration acting through regional behavioral health authorities shall also identify children who may be eligible under section 36-2901, paragraph 6, subdivision (a) or section 36-2931, paragraph 5 and shall refer

the children to the appropriate agency responsible for making the final eligibility determination.

Ch. 51 — G. The director shall adopt rules providing for transportation services and rules providing for copayment by members for transportation for other than emergency purposes. Subject to approval by the centers for medicare and medicaid services, nonemergency medical transportation shall not be provided except for stretcher vans AND AIR AMBULANCE and ambulance transportation. Prior authorization is required for transportation by stretcher van and for medically necessary AIR AMBULANCE AND ambulance transportation initiated pursuant to a physician's direction. Prior authorization is not required for medically necessary AIR AMBULANCE AND ambulance transportation services rendered to members or eligible persons initiated by dialing telephone number 911 or other designated emergency response systems.

H. The director may adopt rules to allow the administration, at the director's discretion, to use a second opinion procedure under which surgery may not be eligible for coverage pursuant to this chapter without documentation as to need by at least two physicians or primary care practitioners.

I. If the director does not receive bids within the amounts budgeted or if at any time the amount remaining in the Arizona health care cost containment system fund is insufficient to pay for full contract services for the remainder of the contract term, the administration, on notification to system contractors at least thirty days in advance, may modify the list of services required under subsection A of this section for persons defined as eligible other than those persons defined pursuant to section 36-2901, paragraph 6, subdivision (a). The director may also suspend services or may limit categories of expense for services defined as optional pursuant to title XIX of the social security act (P.L. 89-97; 79 Stat. 344; 42 United States Code section 1396 (1980)) for persons defined pursuant to section 36-2901, paragraph 6, subdivision (a). Such reductions or suspensions do not apply to the continuity of care for persons already receiving these services.

J. All health and medical services provided under this article shall be provided in the geographic service area of the member, except:

1. Emergency services and specialty services provided pursuant to section 36-2908.

2. That the director may allow the delivery of health and medical services in other than the geographic service area in this state or in an adjoining state if the director determines that medical practice patterns justify the delivery of services or a net reduction in transportation costs can reasonably be expected. Notwithstanding the definition of physician as prescribed in section 36-2901, if services are procured from a physician or primary care practitioner in an adjoining state, the physician or primary care practitioner shall be licensed to practice in that state pursuant to licensing statutes in that state that are similar to title 32, chapter 13, 15, 17 or 25 and shall complete a provider agreement for this state.

K. Covered outpatient services shall be subcontracted by a primary care physician or primary care practitioner to other licensed health care providers to the extent practicable for purposes including, but not limited

to, making health care services available to underserved areas, reducing costs of providing medical care and reducing transportation costs.

L. The director shall adopt rules that prescribe the coordination of medical care for persons who are eligible for system services. The rules shall include provisions for transferring patients and medical records and initiating medical care.

Chs. 49 and 51 — M. Pursuant to the terms and conditions that are approved by the centers for medicare and medicaid services and subject to available funding, the director shall implement limited benefit coverage prerelease services to eligible incarcerated individuals and committed youth for up to ninety days immediately before ~~the individuals'~~ EACH INDIVIDUAL'S or committed youth's expected date of release from a prison, jail, secure care facility or tribal correctional facility.

Ch. 49 — N. ON APPROVAL BY THE CENTERS FOR MEDICARE AND MEDICAID SERVICES, THE ADMINISTRATION MAY MAKE PAYMENTS FOR COVERED SERVICES THAT ARE PROVIDED TO AMERICAN INDIAN OR ALASKA NATIVE MEMBERS BY PARTICIPATING INDIAN HEALTH SERVICES FACILITIES OR PARTICIPATING FACILITIES OPERATED BY TRIBES OR TRIBAL ORGANIZATIONS UNDER THE INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT (P.L. 93-638; 88 STAT. 2203; 25 UNITED STATES CODE CHAPTER 46) AND THAT WERE ELIMINATED FROM, REDUCED OR LIMITED IN THE STATE PLAN ON OR AFTER SEPTEMBER 2010, INCLUDING PAYMENTS FOR MEDICALLY NECESSARY DIAGNOSTIC, THERAPEUTIC AND PREVENTATIVE DENTAL SERVICES.

~~N.~~ O. Notwithstanding section 36-2901.08, monies from the hospital assessment fund established by section 36-2901.09 may not be used to provide any of the following:

1. Chiropractic services as prescribed in subsection A, paragraph 15 of this section.

2. Diabetes outpatient self-management training services as prescribed in subsection A, paragraph 16 of this section.

3. Speech therapy provided in an outpatient setting to eligible persons who are at least twenty-one years of age.

4. Cochlear implants to eligible persons who are at least twenty-one years of age.

~~O.~~ P. For the purposes of this section:

Ch. 51 — 1. "AIR AMBULANCE" HAS THE SAME MEANING PRESCRIBED IN SECTION 36-2201.

~~1.~~ 2. "Ambulance" has the same meaning prescribed in section 36-2201.

~~2.~~ 3. "Tribal facility" has the same meaning prescribed in section 36-2981.

EXPLANATION OF BLEND
SECTION 36-3601

Laws 2026, Chapters 37 and 210

Laws 2026, Ch. 37, section 8

Effective September 12, 2026

Laws 2026, Ch. 210, section 3

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 37 and Ch. 210 text changes to section 36-3601 are blended in the form shown on the following page.

BLEND OF SECTION 36-3601
Laws 2026, Chapters 37 and 210

- 36-3601. Definitions
~~For the purposes of~~ IN this chapter, UNLESS THE CONTEXT OTHERWISE
REQUIRES:
- Chs. 37 and 210 — 1. "Health care decision maker" has the same meaning prescribed in section 12-2801.
- Ch. 210 — 2. "Health care provider":
(a) Means a person WHO IS licensed pursuant to title 32, chapter 7, 8, 13, 14, 15, 15.1, 16, 17, 18, 19, 19.1, 25, [27,] ~~[28,]~~ 29, 33, 34, 35, 39, 41 or 42, or chapter 4, article 6 of this title, chapter 6, article 7 of this title or chapter 17 of this title. Ch. 37
- Chs. 37 and 210 — (b) Includes:
(i) A health care institution THAT IS licensed pursuant to chapter 4 of this title.
(ii) A person who holds a training permit pursuant to title 32, chapter 13 or 17.
3. "Health care provider regulatory board or agency" means a board or agency that regulates one or more health care provider professions in this state.
4. "Telehealth" means:
(a) The interactive use of audio, video or other electronic media, including asynchronous store-and-forward technologies and remote patient monitoring technologies, for the practice of health care, assessment, diagnosis, consultation or treatment and the transfer of medical data.
(b) Includes the use of an audio-only telephone encounter between the patient or client and health care provider if an audio-visual telehealth encounter is not reasonably available due to the patient's functional status, the patient's lack of technology or telecommunications infrastructure limits, as determined by the health care provider.
(c) Does not include the use of a fax machine, instant messages, ~~voice mail~~ VOICEMAIL or email.
- Chs. 37 and 210 —

EXPLANATION OF BLEND
SECTION 38-1106

Laws 2026, Chapters 88 and 179

Laws 2026, Ch. 88, section 1

Effective September 12, 2026

Laws 2026, Ch. 179, section 3

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 88 and Ch. 179 text changes to section 38-1106 are blended in the form shown on the following pages.

BLEND OF SECTION 38-1106
Laws 2026, Chapters 88 and 179

38-1106. Appeal of disciplinary actions; transcripts; change of hearing officer or administrative law judge; burden of proof; superior court appeal; final disposition report; exception

A. In any appeal of a disciplinary action by a law enforcement officer, the parties shall cooperate with each other, act in good faith and exchange copies of all relevant documents and a list of all witnesses pursuant to the following time periods and requirements:

1. Within fourteen calendar days after the employer's receipt of a written request from the law enforcement officer for a copy of the investigative file that is accompanied by a copy of the filed notice of appeal, the employer shall provide a complete copy of the investigative file as well as the names and contact information for all persons interviewed during the course of the investigation.

2. Not later than fourteen calendar days before the appeal hearing, the parties shall produce and serve on every party the following information:

(a) The name of each witness whom the disclosing party expects to call at the appeal hearing, with a designation of the subject matter on which each witness might be called to testify. A witness may decline an interview. The parties shall not interfere with any decision of a witness regarding whether to be interviewed. An employer shall not discipline, retaliate against or threaten to retaliate against any witness for agreeing to be interviewed or for testifying or providing evidence in the appeal.

(b) The name and contact information of each person who has given statements, whether written or recorded or signed or unsigned, regarding matters relevant to the notice of discipline and the custodian of the copies of those statements.

(c) Copies of any documents that may be introduced at the hearing and that have not previously been disclosed.

3. The duty to disclose information continues to exist throughout the process and up to the end of the appeal process.

B. It is unlawful for a person to disseminate information that is disclosed pursuant to subsection A of this section to any person other than the parties to the appeal and their lawful representatives for purposes of the appeal of the disciplinary action. This subsection does not prohibit the use of the information in the hearing or disclosure pursuant to title 39, chapter 1, article 2.

C. If a transcript is required in an administrative hearing, the employer shall obtain the transcript and provide a copy to the law enforcement officer within ten calendar days after the employer's receipt of the transcript.

D. Failure to comply with the requirements of subsection A or B of this section shall result in the exclusion of the witness, evidence or testimony, unless the failure to comply is because of excusable neglect.

E. The employer or the law enforcement officer may seek a determination by the hearing officer, administrative law judge or appeals board hearing the appeal regarding any evidence that the employer or the law enforcement officer believes should not be disclosed pursuant to subsection A of this section because the risk of harm involved in disclosure outweighs any usefulness of the disclosure in the hearing. In determining whether evidence will be disclosed, the hearing officer, administrative law judge or appeals board may perform an in camera review of the evidence and may disclose the material subject to any restriction on the disclosure, including the closing of the hearing or the sealing of the records, that the hearing officer, administrative law judge or appeals board finds necessary under the circumstances. **AN AGENCY, AN EMPLOYER OR A POLITICAL SUBDIVISION IN THIS STATE MAY NOT TAKE ANY RETALIATORY ACTION AGAINST AN EMPLOYEE FOR PROVIDING TESTIMONY IN ANY PROCEEDING PURSUANT TO THIS SUBSECTION.**

Ch. 88

F. In any appeal of a disciplinary action by a law enforcement officer in which a single hearing officer or administrative law judge has been appointed to conduct the appeal hearing, the law enforcement officer or the employer, within ten calendar days after the appointment of the hearing officer or administrative law judge, may request a change of hearing officer or administrative law judge. In cases before the office of administrative hearings or if the employer is a county, city or town, on the first request of a party, the request shall be granted. A city or town with a population of less than sixty-five thousand persons or a county with a population of less than two hundred fifty thousand persons must provide, if necessary to comply with this subsection, for an alternate hearing officer by means of an interagency agreement with another city, town or county. If the law enforcement officer is the party who requested the alternate hearing officer, the law enforcement officer shall reimburse the city, town or county for one-half of any additional expenses incurred by the city, town or county in procuring the alternate hearing officer under the interagency agreement. If an alternate hearing officer is requested by means of an interagency agreement, the hearing officer shall provide to the law enforcement officer or employer the option of continuing the hearing for an additional ten calendar days. Any subsequent requests may be granted only on a showing that a fair and impartial hearing cannot be obtained due to the prejudice of the assigned hearing officer or administrative law judge. The supervisor or supervising body of the hearing officer or administrative law judge shall decide whether a showing of prejudice has been made.

G. The employer has the burden of proof in an appeal of a disciplinary action by a law enforcement officer.

H. The hearing officer, administrative law judge or appeals board may take into consideration violations of this article as mitigation in determining discipline.

I. Except where a statute, rule or ordinance makes the administrative evidentiary hearing the final administrative determination and after a hearing where the law enforcement officer and the employer have been equally

allowed to call and examine witnesses, cross-examine witnesses, provide documentary evidence and otherwise fully participate in the hearing, an employer or a person acting on behalf of an employer may amend, modify, reject or reverse the portion of a decision made by a hearing officer, administrative law judge or appeals board that was arbitrary or without reasonable justification. The employer or person acting on behalf of the employer shall state the reason for the amendment, modification, rejection or reversal.

Ch. 179

J. IF A HEARING OFFICER, ADMINISTRATIVE LAW JUDGE OR APPEALS BOARD DETERMINES THAT A TERMINATION OF A LAW ENFORCEMENT OFFICER BY AN EMPLOYER WAS WITHOUT JUST CAUSE AND THE EMPLOYER FAILS TO REINSTATE THE LAW ENFORCEMENT OFFICER AND A SUBSEQUENT ACTION BROUGHT IN SUPERIOR COURT PURSUANT TO SECTION 38-1107 ALSO DETERMINES THAT THE TERMINATION WAS WITHOUT JUST CAUSE, THE EMPLOYER SHALL PAY ALL TAXABLE COSTS AND REASONABLE ATTORNEY FEES AND EXPERT FEES INCURRED BY THE LAW ENFORCEMENT OFFICER FOR THE APPEAL TO THE HEARING OFFICER, ADMINISTRATIVE LAW JUDGE OR APPEALS BOARD AND THE SUBSEQUENT APPEAL TO THE SUPERIOR COURT.

Ch. 88

~~J.~~ K. Notwithstanding chapter 3, article 3.1 of this title, all hearings pursuant to this section ~~shall be~~ ARE open to the public. Executive sessions allowed pursuant to section 38-431.03 shall be limited to legal advice to a personnel appeals board or for deliberations.

Ch. 179

~~K.~~ L. A law enforcement officer who prevails in an appeal where a termination has been reversed shall be awarded retroactive compensation from the date of the LAW ENFORCEMENT officer's separation to the date of reinstatement. The hearing officer, administrative law judge or appeals board hearing the appeal shall determine the amount of retroactive compensation awarded and any reduction to that amount. Retroactive compensation may be reduced:

1. If there is undue delay in setting a hearing date caused by the law enforcement officer or the law enforcement officer's representative.

2. If the law enforcement officer requests a continuance.

3. If there exists a period between separation and reinstatement that the law enforcement officer would have been unable to perform the duties of a law enforcement officer.

4. By any amount earned by the law enforcement officer in alternative employment.

5. If the hearing officer, administrative law judge or appeals board finds that the law enforcement officer's action or misconduct warrants suspension or demotion.

~~L.~~ M. The hearing officer, administrative law judge or appeals board shall state in every finding of disciplinary action whether or not just cause existed for the disciplinary action.

~~M.~~ N. The hearing officer, administrative law judge or appeals board shall document in the record those circumstances where the hearing officer, administrative law judge or appeals board determines that a party has clearly violated a party's obligation under this section.

~~N.~~ O. Immediately after a law enforcement officer receives the final disposition of an appeal of a disciplinary action, the administrative law judge, hearing officer or presiding authority shall provide a final disposition report that includes the final decision and any amended findings

of fact to the law enforcement agency that initiated or imposed the discipline.

Chs. 88 and 179 { ~~P.~~ **P.** A law enforcement agency that receives a final disposition report shall include the final disposition report in the agency's original investigation record. If the law enforcement agency provided a prosecuting agency with information that was obtained during the investigation of the law enforcement officer for the prosecuting agency's rule 15.1 database **AS DEFINED IN SECTION 38-1119**, the law enforcement agency shall forward the final disposition report to the prosecuting agency.

Ch. 88 { **Q. AN AGENCY, AN EMPLOYER OR A POLITICAL SUBDIVISION OF THIS STATE MAY NOT PROHIBIT OR OBSTRUCT AN EMPLOYEE, INCLUDING AN EMPLOYEE DESIGNATED AS A SUBJECT MATTER EXPERT, FROM PROVIDING TESTIMONY TO AN ADMINISTRATIVE OR JUDICIAL PROCEEDING RELATING TO THE APPEAL OF A DISCIPLINARY ACTION PURSUANT TO THIS SECTION.**

~~P.~~ **R.** This section does not apply to a law enforcement officer who is employed by an agency of this state as an at will employee.

EXPLANATION OF BLEND

SECTION 42-5159 (as amended by Laws 2025, Ch. 135, section 2 and Ch. 247, section 2)

Laws 2026, Chapters 30 and 184

Laws 2026, Ch. 30, section 2

Effective September 12, 2026

Laws 2026, Ch. 184, section 7

Effective September 12, 2026
(Retroactive to September 26, 2025)

Explanation

Since the Ch. 30 version includes all the changes made by the Ch. 184 version, the Laws 2026, Ch. 30 amendment of section 42-5159, as amended by Laws 2025, chapter 135, section 2 and chapter 247, section 2, is the blend of both the Laws 2026, Ch. 30 and Ch. 184 versions.

BLEND OF SECTION 42-5159 (as amended by Laws 2025, Ch. 135, section 2 and Ch. 247, section 2)
Laws 2026, Chapters 30 and 184

42-5159. Exemptions

A. The tax levied by this article does not apply to the storage, use or consumption in this state of the following described tangible personal property:

1. Tangible personal property, sold in this state, the gross receipts from the sale of which are included in the measure of the tax imposed by articles 1 and 2 of this chapter.

2. Tangible personal property, the sale or use of which has already been subjected to an excise tax at a rate equal to or exceeding the tax imposed by this article under the laws of another state of the United States. If the excise tax imposed by the other state is at a rate less than the tax imposed by this article, the tax imposed by this article is reduced by the amount of the tax already imposed by the other state.

3. Tangible personal property, the storage, use or consumption of which the constitution or laws of the United States prohibit this state from taxing or to the extent that the rate or imposition of tax is unconstitutional under the laws of the United States.

4. Tangible personal property that directly enters into and becomes an ingredient or component part of any manufactured, fabricated or processed article, substance or commodity for sale in the regular course of business.

5. Motor vehicle fuel and use fuel, the sales, distribution or use of which in this state is subject to the tax imposed under title 28, chapter 16, article 1, use fuel that is sold to or used by a person holding a valid single trip use fuel tax permit issued under section 28-5739, aviation fuel, the sales, distribution or use of which in this state is subject to the tax imposed under section 28-8344, and jet fuel, the sales, distribution or use of which in this state is subject to the tax imposed under article 8 of this chapter.

6. Tangible personal property brought into this state by an individual who was a nonresident at the time the property was purchased for storage, use or consumption by the individual if the first actual use or consumption of the property was outside this state, unless the property is used in conducting a business in this state.

7. Purchases of implants used as growth promotants and injectable medicines, not already exempt under paragraph 16 of this subsection, for livestock and poultry owned by, or in possession of, persons who are engaged in producing livestock, poultry, or livestock or poultry products, or who are engaged in feeding livestock or poultry commercially. For the purposes of this paragraph, "poultry" includes ratites.

8. Purchases of:

(a) Livestock and poultry to persons engaging in the businesses of farming, ranching or producing livestock or poultry.

(b) Livestock and poultry feed, salts, vitamins and other additives sold to persons for use or consumption in the businesses of farming, ranching and producing or feeding livestock or poultry or for use or consumption in noncommercial boarding of livestock. For the purposes of this paragraph, "poultry" includes ratites.

9. Propagative materials for use in commercially producing agricultural, horticultural, viticultural or floricultural crops in this state. For the purposes of this paragraph, "propagative materials":

(a) Includes seeds, seedlings, roots, bulbs, liners, transplants, cuttings, soil and plant additives, agricultural minerals, auxiliary soil and plant substances, micronutrients, fertilizers, insecticides, herbicides, fungicides, soil fumigants, desiccants, rodenticides, adjuvants, plant nutrients and plant growth regulators.

(b) Except for use in commercially producing industrial hemp as defined in section 3-311, does not include any propagative materials used in producing any part, including seeds, of any plant of the genus cannabis.

10. Tangible personal property not exceeding \$200 in any one month purchased by an individual at retail outside the continental limits of the United States for the individual's own personal use and enjoyment.

11. Advertising supplements that are intended for sale with newspapers published in this state and that have already been subjected to an excise tax under the laws of another state in the United States that equals or exceeds the tax imposed by this article.

12. Materials that are purchased by or for publicly funded libraries, including school district libraries, charter school libraries, community college libraries, state university libraries or federal, state, county or municipal libraries, for use by the public as follows:

(a) Printed or photographic materials, beginning August 7, 1985.

(b) Electronic or digital media materials, beginning July 17, 1994.

13. Tangible personal property purchased by:

(a) A hospital organized and operated exclusively for charitable purposes, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

(b) A hospital operated by this state or a political subdivision of this state.

(c) A licensed nursing care institution or a licensed residential care institution or a residential care facility operated in conjunction with a licensed nursing care institution or a licensed kidney dialysis center, which provides medical services, nursing services or health related services and is not used or held for profit.

(d) A qualifying health care organization, as defined in section 42-5001, if the tangible personal property is used by the organization solely to provide health and medical related educational and charitable services.

(e) A qualifying health care organization as defined in section 42-5001 if the organization is dedicated to providing educational, therapeutic, rehabilitative and family medical education training for blind and visually impaired children and children with multiple disabilities from the time of birth to age twenty-one.

(f) A nonprofit charitable organization that has qualified under section 501(c)(3) of the United States internal revenue code and that engages in and uses such property exclusively in programs for persons with mental or physical disabilities if the programs are exclusively for training, job placement, rehabilitation, or testing.

(g) A person that is subject to tax under this chapter by reason of being engaged in business classified under section 42-5075, or a subcontractor working under the control of a person that is engaged in business classified under section 42-5075, if the tangible personal property is any of the following:

(i) Incorporated or fabricated by the person into a structure, project, development or improvement in fulfillment of a contract.

Chs. 30
and 184

—described in section 42-5075, subsection ~~⊖~~ P.

(iii) Used in environmental response or remediation activities under section 42-5075, subsection B, paragraph 6.

(h) A person that is not subject to tax under section 42-5075 and that has been provided a copy of a certificate described in section 42-5009, subsection L, if the property purchased is incorporated or fabricated by the person into the real property, structure, project, development or improvement described in the certificate.

(i) A nonprofit charitable organization that has qualified under section 501(c)(3) of the internal revenue code if the property is purchased from the parent or an affiliate organization that is located outside this state.

(j) A qualifying community health center as defined in section 42-5001.

(k) A nonprofit charitable organization that has qualified under section 501(c)(3) of the internal revenue code and that regularly serves meals to the needy and indigent on a continuing basis at no cost.

(l) A person engaged in business under the transient lodging classification if the property is a personal hygiene item or articles used by human beings for food, drink or condiment, except alcoholic beverages, which are furnished without additional charge to and intended to be consumed by the transient during the transient's occupancy.

(m) For taxable periods beginning from and after June 30, 2001, a nonprofit charitable organization that has qualified under section 501(c)(3) of the internal revenue code and that provides residential apartment housing for low-income persons over sixty-two years of age in a facility that qualifies for a federal housing subsidy, if the tangible personal property is used by the organization solely to provide residential apartment housing for low-income persons over sixty-two years of age in a facility that qualifies for a federal housing subsidy.

(n) A qualifying health sciences educational institution as defined in section 42-5001.

(o) A person representing or working on behalf of any person described in subdivision (a), (b), (c), (d), (e), (f), (i), (j), (k), (m) or (n) of this paragraph, if the tangible personal property is incorporated

Chs. 30
and 184

—or fabricated into a project described in section 42-5075, subsection ~~⊖~~ P.

14. Commodities, as defined by title 7 United States Code section 2, that are consigned for resale in a warehouse in this state in or from which the commodity is deliverable on a contract for future delivery subject to the rules of a commodity market regulated by the United States commodity futures trading commission.

15. Tangible personal property sold by:

(a) Any nonprofit organization organized and operated exclusively for charitable purposes and recognized by the United States internal revenue service under section 501(c)(3) of the internal revenue code.

(b) A nonprofit organization that is exempt from taxation under section 501(c)(3), 501(c)(4) or 501(c)(6) of the internal revenue code if the organization is associated with a major league baseball team or a national touring professional golfing association and no part of the organization's net earnings inures to the benefit of any private shareholder or individual. This subdivision does not apply to an organization that is owned, managed or controlled, in whole or in part, by a major league baseball team, or its owners, officers, employees or agents, or by a major league baseball association or professional golfing association, or its owners, officers, employees or agents, unless the organization conducted or operated exhibition events in this state before January 1, 2018 that were exempt from transaction privilege tax under section 42-5073.

(c) A nonprofit organization that is exempt from taxation under section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7) or 501(c)(8) of the internal revenue code if the organization sponsors or operates a rodeo featuring primarily farm and ranch animals and no part of the organization's net earnings inures to the benefit of any private shareholder or individual.

16. Drugs and medical oxygen, including delivery hose, mask or tent, regulator and tank, if prescribed by a member of the medical, dental or veterinarian profession who is licensed by law to administer such substances.

17. Prosthetic appliances, as defined in section 23-501, prescribed or recommended by a person who is licensed, registered or otherwise professionally credentialed as a physician, dentist, podiatrist, chiropractor, naturopath, homeopath, nurse or optometrist.

18. Prescription eyeglasses and contact lenses.

19. Insulin, insulin syringes and glucose test strips.

20. Hearing aids as defined in section 36-1901.

21. Durable medical equipment that has a centers for medicare and medicaid services common procedure code, is designated reimbursable by medicare, is prescribed by a person who is licensed under title 32, chapter 7, 13, 17 or 29, can withstand repeated use, is primarily and customarily used to serve a medical purpose, is generally not useful to a person in the absence of illness or injury and is appropriate for use in the home.

22. Food, as provided in and subject to the conditions of article 3 of this chapter and sections 42-5074 and 42-6017.

23. Items purchased with United States department of agriculture coupons issued under the supplemental nutrition assistance program pursuant to the food and nutrition act of 2008 (P.L. 88-525; 78 Stat. 703; 7 United States Code sections 2011 through 2036b) by the United States department of agriculture food and nutrition service or food instruments issued under

section 17 of the child nutrition act (P.L. 95-627; 92 Stat. 3603; P.L. 99-661, section 4302; P.L. 111-296; 42 United States Code section 1786).

24. Food and drink provided without monetary charge by a taxpayer that is subject to section 42-5074 to its employees for their own consumption on the premises during the employees' hours of employment.

25. Tangible personal property that is used or consumed in a business subject to section 42-5074 for human food, drink or condiment, whether simple, mixed or compounded.

26. Food, drink or condiment and accessory tangible personal property that are acquired for use by or provided to a school district or charter school if they are to be either served or prepared and served to persons for consumption on the premises of a public school in the school district or on the premises of the charter school during school hours.

27. Lottery tickets or shares purchased pursuant to title 5, chapter 5.1, article 1.

28. Textbooks, sold by a bookstore, that are required by any state university or community college.

29. Magazines, other periodicals or other publications produced by this state to encourage tourist travel.

30. Paper machine clothing, such as forming fabrics and dryer felts, purchased by a paper manufacturer and directly used or consumed in paper manufacturing.

31. Coal, petroleum, coke, natural gas, virgin fuel oil and electricity purchased by a qualified environmental technology manufacturer, producer or processor as defined in section 41-1514.02 and directly used or consumed in generating or providing on-site power or energy solely for environmental technology manufacturing, producing or processing or environmental protection. This paragraph applies for twenty full consecutive calendar or fiscal years from the date the first paper manufacturing machine is placed in service. In the case of an environmental technology manufacturer, producer or processor that does not manufacture paper, the time period begins with the date the first manufacturing, processing or production equipment is placed in service.

32. Motor vehicles that are removed from inventory by a motor vehicle dealer as defined in section 28-4301 and that are provided to:

(a) Charitable or educational institutions that are exempt from taxation under section 501(c)(3) of the internal revenue code.

(b) Public educational institutions.

(c) State universities or affiliated organizations of a state university if no part of the organization's net earnings inures to the benefit of any private shareholder or individual.

33. Natural gas or liquefied petroleum gas used to propel a motor vehicle.

34. Machinery, equipment, technology or related supplies that are only useful to assist a person with a physical disability as defined in section 46-191 or a person who has a developmental disability as defined in section 36-551 or has a head injury as defined in section 41-3201 to be more independent and functional.

35. Liquid, solid or gaseous chemicals used in manufacturing, processing, fabricating, mining, refining, metallurgical operations, research and development and, beginning on January 1, 1999, printing, if using or consuming the chemicals, alone or as part of an integrated system of chemicals, involves direct contact with the materials from which the product is produced for the purpose of causing or allowing a chemical or physical change to occur in the materials as part of the production process. This paragraph does not include chemicals that are used or consumed in activities such as packaging, storage or transportation but does not affect any exemption for such chemicals that is otherwise provided by this section. For the purposes of this paragraph, "printing" means a commercial printing operation and includes job printing, engraving, embossing, copying and bookbinding.

36. Food, drink and condiment purchased for consumption within the premises of any prison, jail or other institution under the jurisdiction of the state department of corrections, the department of public safety, the department of juvenile corrections or a county sheriff.

37. A motor vehicle and any repair and replacement parts and tangible personal property becoming a part of such motor vehicle sold to a motor carrier that is subject to a fee prescribed in title 28, chapter 16, article 4 and that is engaged in the business of leasing or renting such a property.

38. Tangible personal property that is or directly enters into and becomes an ingredient or component part of cards used as prescription plan identification cards.

39. Overhead materials or other tangible personal property that is used in performing a contract between the United States government and a manufacturer, modifier, assembler or repairer, including property used in performing a subcontract with a government contractor who is a manufacturer, modifier, assembler or repairer, to which title passes to the government under the terms of the contract or subcontract. For the purposes of this paragraph:

(a) "Overhead materials" means tangible personal property, the gross proceeds of sales or gross income derived from which would otherwise be included in the retail classification, that is used or consumed in performing a contract, the cost of which is charged to an overhead expense account and allocated to various contracts based on generally accepted accounting principles and consistent with government contract accounting standards.

(b) "Subcontract" means an agreement between a contractor and any person who is not an employee of the contractor for furnishing of supplies or services that, in whole or in part, are necessary to perform one or more government contracts, or under which any portion of the contractor's obligation under one or more government contracts is performed, undertaken or assumed, and that includes provisions causing title to overhead materials or other tangible personal property used in performing the subcontract to pass to the government or that includes provisions incorporating such title passing clauses in a government contract into the subcontract.

40. Through December 31, 1994, tangible personal property sold pursuant to a personal property liquidation transaction, as defined in section 42-5061. From and after December 31, 1994, tangible personal property sold pursuant to a personal property liquidation transaction, as

defined in section 42-5061, if the gross proceeds of the sales were included in the measure of the tax imposed by article 1 of this chapter or if the personal property liquidation was a casual activity or transaction.

41. Wireless telecommunications equipment that is held for sale or transfer to a customer as an inducement to enter into or continue a contract for telecommunications services that are taxable under section 42-5064.

42. Alternative fuel, as defined in section 1-215, purchased by a used oil fuel burner who has received a permit to burn used oil or used oil fuel under section 49-426 or 49-480.

43. Tangible personal property purchased by a commercial airline and consisting of food, beverages and condiments and accessories used for serving the food and beverages, if those items are to be provided without additional charge to passengers for consumption in flight. For the purposes of this paragraph, "commercial airline" means a person holding a federal certificate of public convenience and necessity or foreign air carrier permit for air transportation to transport persons, property or United States mail in intrastate, interstate or foreign commerce.

44. Alternative fuel vehicles if the vehicle was manufactured as a diesel fuel vehicle and converted to operate on alternative fuel and equipment that is installed in a conventional diesel fuel motor vehicle to convert the vehicle to operate on an alternative fuel, as defined in section 1-215.

45. Gas diverted from a pipeline, by a person engaged in the business of:

(a) Operating a natural or artificial gas pipeline, and used or consumed for the sole purpose of fueling compressor equipment that pressurizes the pipeline.

(b) Converting natural gas into liquefied natural gas, and used or consumed for the sole purpose of fueling compressor equipment used in the conversion process.

46. Tangible personal property that is excluded, exempt or deductible from transaction privilege tax pursuant to section 42-5063.

47. Tangible personal property purchased to be incorporated or installed as part of environmental response or remediation activities under section 42-5075, subsection B, paragraph 6.

48. Tangible personal property sold by a nonprofit organization that is exempt from taxation under section 501(c)(6) of the internal revenue code if the organization produces, organizes or promotes cultural or civic related festivals or events and no part of the organization's net earnings inures to the benefit of any private shareholder or individual.

49. Prepared food, drink or condiment donated by a restaurant as classified in section 42-5074, subsection A to a nonprofit charitable organization that has qualified under section 501(c)(3) of the internal revenue code and that regularly serves meals to the needy and indigent on a continuing basis at no cost.

50. Application services that are designed to assess or test student learning or to promote curriculum design or enhancement purchased by or for any school district, charter school, community college or state university. For the purposes of this paragraph:

(a) "Application services" means software applications provided remotely using hypertext transfer protocol or another network protocol.

(b) "Curriculum design or enhancement" means planning, implementing or reporting on courses of study, lessons, assignments or other learning activities.

51. Motor vehicle fuel and use fuel to a qualified business under section 41-1516 for off-road use in harvesting, processing or transporting qualifying forest products removed from qualifying projects as defined in section 41-1516.

52. Repair parts installed in equipment used directly by a qualified business under section 41-1516 in harvesting, processing or transporting qualifying forest products removed from qualifying projects as defined in section 41-1516.

53. Renewable energy credits or any other unit created to track energy derived from renewable energy resources. For the purposes of this paragraph, "renewable energy credit" means a unit created administratively by the corporation commission or governing body of a public power entity to track kilowatt hours of electricity derived from a renewable energy resource or the kilowatt hour equivalent of conventional energy resources displaced by distributed renewable energy resources.

54. Coal acquired from an owner or operator of a power plant by a person that is responsible for refining coal if both of the following apply:

(a) The transfer of title or possession of the coal is for the purpose of refining the coal.

(b) The title or possession of the coal is transferred back to the owner or operator of the power plant after completion of the coal refining process. For the purposes of this subdivision, "coal refining process" means the application of a coal additive system that aids the reduction of power plant emissions during the combustion of coal and the treatment of flue gas.

Chs. 30 and 184 — 55. Tangible personal property incorporated or fabricated into a project described in section 42-5075, subsection ~~Q~~ P, that is located within the exterior boundaries of an Indian reservation for which the owner, as defined in section 42-5075, of the project is an Indian tribe or an affiliated Indian. For the purposes of this paragraph:

(a) "Affiliated Indian" means an individual Native American Indian who is duly registered on the tribal rolls of the Indian tribe for whose benefit the Indian reservation was established.

(b) "Indian reservation" means all lands that are within the limits of areas set aside by the United States for the exclusive use and occupancy of an Indian tribe by treaty, law or executive order and that are recognized as Indian reservations by the United States department of the interior.

(c) "Indian tribe" means any organized nation, tribe, band or community that is recognized as an Indian tribe by the United States department of the interior and includes any entity formed under the laws of the Indian tribe.

Ch. 30 — 56. Cash equivalents, precious metal bullion and monetized bullion ~~purchased by the ultimate consumer~~, but coins or other forms of money for manufacture into jewelry or works of art are subject to tax, and tangible personal property that is purchased through the redemption of any cash

equivalent by the holder as a means of payment for goods that are subject to tax under this article is subject to tax. For the purposes of this paragraph:

(a) "Cash equivalents" means items, whether or not negotiable, that are sold to one or more persons, through which a value denominated in money is purchased in advance and that may be redeemed in full or in part for tangible personal property, intangibles or services. Cash equivalents include gift cards, stored value cards, gift certificates, vouchers, traveler's checks, money orders or other tangible instruments or orders. Cash equivalents do not include either of the following:

(i) Items that are sold to one or more persons and through which a value is not denominated in money.

(ii) Prepaid calling cards for telecommunications services.

(b) "Monetized bullion" means coins and other forms of money that are manufactured from gold, silver or other metals and that have been or are used as a medium of exchange in this or another state, the United States or a foreign nation.

(c) "Precious metal bullion" means precious metal, including gold, silver, platinum, rhodium and palladium, that has been smelted or refined so that its value depends on its contents and not on its form.

B. In addition to the exemptions allowed by subsection A of this section, the following categories of tangible personal property are also exempt:

1. Machinery, or equipment, used directly in manufacturing, processing, fabricating, job printing, refining or metallurgical operations. The terms "manufacturing", "processing", "fabricating", "job printing", "refining" and "metallurgical" as used in this paragraph refer to and include those operations commonly understood within their ordinary meaning. "Metallurgical operations" includes leaching, milling, precipitating, smelting and refining.

2. Machinery, or equipment, used directly in the process of extracting ores or minerals from the earth for commercial purposes, including equipment required to prepare the materials for extraction and handling, loading or transporting such extracted material to the surface. "Mining" includes underground, surface and open pit operations for extracting ores and minerals.

3. Tangible personal property sold to persons engaged in business classified under the telecommunications classification under section 42-5064, including a person representing or working on behalf of such a person in a manner described in section 42-5075, subsection ~~P~~ P, and consisting of central office switching equipment, switchboards, private branch exchange equipment, microwave radio equipment and carrier equipment including optical fiber, coaxial cable and other transmission media that are components of carrier systems.

4. Machinery, equipment or transmission lines used directly in producing or transmitting electrical power, but not including distribution. Transformers and control equipment used at transmission substation sites constitute equipment used in producing or transmitting electrical power.

5. Machinery and equipment used directly for energy storage for later electrical use. For the purposes of this paragraph:

(a) "Electric utility scale" means a person that is engaged in a business activity described in section 42-5063, subsection A or such person's equipment or wholesale electricity suppliers.

(b) "Energy storage" means commercially available technology for electric utility scale that is capable of absorbing energy, storing energy for a period of time and thereafter dispatching the energy and that uses mechanical, chemical or thermal processes to store energy.

(c) "Machinery and equipment used directly" means all machinery and equipment that are used for electric energy storage from the point of receipt of such energy in order to facilitate storage of the electric energy to the point where the electric energy is released.

6. Neat animals, horses, asses, sheep, ratites, swine or goats used or to be used as breeding or production stock, including sales of breedings or ownership shares in such animals used for breeding or production.

7. Pipes or valves four inches in diameter or larger used to transport oil, natural gas, artificial gas, water, wastewater or coal slurry, including compressor units, regulators, machinery and equipment, fittings, seals and any other part that is used in operating the pipes or valves.

8. Aircraft, navigational and communication instruments and other accessories and related equipment sold to:

(a) A person:

(i) Holding, or exempted by federal law from obtaining, a federal certificate of public convenience and necessity for use as, in conjunction with or becoming part of an aircraft to be used to transport persons for hire in intrastate, interstate or foreign commerce.

(ii) That is certificated or licensed under federal aviation administration regulations (14 Code of Federal Regulations part 121 or 135) as a scheduled or unscheduled carrier of persons for hire for use as or in conjunction with or becoming part of an aircraft to be used to transport persons for hire in intrastate, interstate or foreign commerce.

(iii) Holding a foreign air carrier permit for air transportation for use as or in conjunction with or becoming a part of aircraft to be used to transport persons, property or United States mail in intrastate, interstate or foreign commerce.

(iv) Operating an aircraft to transport persons in any manner for compensation or hire, or for use in a fractional ownership program that meets the requirements of federal aviation administration regulations (14 Code of Federal Regulations part 91, subpart K), including as an air carrier, a foreign air carrier or a commercial operator or under a restricted category, within the meaning of 14 Code of Federal Regulations, regardless of whether the operation or aircraft is regulated or certified under part 91, 119, 121, 133, 135, 136 or 137, or another part of 14 Code of Federal Regulations.

(v) That will lease or otherwise transfer operational control, within the meaning of federal aviation administration operations specification A008, or its successor, of the aircraft, instruments or accessories to one or more persons described in item (i), (ii), (iii) or (iv) of this subdivision, subject to section 42-5009, subsection Q.

(b) Any foreign government.

(c) Persons who are not residents of this state and who will not use such property in this state other than in removing such property from this state. This subdivision also applies to corporations that are not incorporated in this state, regardless of maintaining a place of business in this state, if the principal corporate office is located outside this state and the property will not be used in this state other than in removing the property from this state.

9. Machinery, tools, equipment and related supplies used or consumed directly in repairing, remodeling or maintaining aircraft, aircraft engines or aircraft component parts by or on behalf of a certificated or licensed carrier of persons or property.

10. Rolling stock, rails, ties and signal control equipment used directly to transport persons or property.

11. Machinery or equipment used directly to drill for oil or gas or used directly in the process of extracting oil or gas from the earth for commercial purposes.

12. Buses or other urban mass transit vehicles that are used directly to transport persons or property for hire or pursuant to a governmentally adopted and controlled urban mass transportation program and that are sold to bus companies holding a federal certificate of convenience and necessity or operated by any city, town or other governmental entity or by any person contracting with such governmental entity as part of a governmentally adopted and controlled program to provide urban mass transportation.

13. Groundwater measuring devices required under section 45-604.

14. Machinery and equipment consisting of agricultural aircraft, tractors, off-highway vehicles, tractor-drawn implements, self-powered implements, machinery and equipment necessary for extracting milk, and machinery and equipment necessary for cooling milk and livestock, and drip irrigation lines not already exempt under paragraph 7 of this subsection and that are used for commercially producing agricultural, horticultural, viticultural and floricultural crops and products in this state. For the purposes of this paragraph:

(a) "Off-highway vehicles" means off-highway vehicles as defined in section 28-1171 that are modified at the time of sale to function as a tractor or to tow tractor-drawn implements and that are not equipped with a modified exhaust system to increase horsepower or speed or an engine that is more than one thousand cubic centimeters or that have a maximum speed of fifty miles per hour or less.

(b) "Self-powered implements" includes machinery and equipment that are electric-powered.

15. Machinery or equipment used in research and development. For the purposes of this paragraph, "research and development" means basic and applied research in the sciences and engineering, and designing, developing or testing prototypes, processes or new products, including research and development of computer software that is embedded in or an integral part of the prototype or new product or that is required for machinery or equipment otherwise exempt under this section to function effectively. Research and development do not include manufacturing quality control, routine consumer product testing, market research, sales promotion, sales service, research

in social sciences or psychology, computer software research that is not included in the definition of research and development, or other nontechnological activities or technical services.

16. Tangible personal property that is used by either of the following to receive, store, convert, produce, generate, decode, encode, control or transmit telecommunications information:

(a) Any direct broadcast satellite television or data transmission service that operates pursuant to 47 Code of Federal Regulations part 25.

(b) Any satellite television or data transmission facility, if both of the following conditions are met:

(i) Over two-thirds of the transmissions, measured in megabytes, transmitted by the facility during the test period were transmitted to or on behalf of one or more direct broadcast satellite television or data transmission services that operate pursuant to 47 Code of Federal Regulations part 25.

(ii) Over two-thirds of the transmissions, measured in megabytes, transmitted by or on behalf of those direct broadcast television or data transmission services during the test period were transmitted by the facility to or on behalf of those services.

For the purposes of subdivision (b) of this paragraph, "test period" means the three hundred sixty-five day period beginning on the later of the date on which the tangible personal property is purchased or the date on which the direct broadcast satellite television or data transmission service first transmits information to its customers.

17. Clean rooms that are used for manufacturing, processing, fabrication or research and development, as defined in paragraph 15 of this subsection, of semiconductor products. For the purposes of this paragraph, "clean room" means all property that comprises or creates an environment where humidity, temperature, particulate matter and contamination are precisely controlled within specified parameters, without regard to whether the property is actually contained within that environment or whether any of the property is affixed to or incorporated into real property. Clean room:

(a) Includes the integrated systems, fixtures, piping, movable partitions, lighting and all property that is necessary or adapted to reduce contamination or to control airflow, temperature, humidity, chemical purity or other environmental conditions or manufacturing tolerances, as well as the production machinery and equipment operating in conjunction with the clean room environment.

(b) Does not include the building or other permanent, nonremovable component of the building that houses the clean room environment.

18. Machinery and equipment that are used directly in feeding poultry, environmentally controlling housing for poultry, moving eggs within a production and packaging facility or sorting or cooling eggs. This exemption does not apply to vehicles used for transporting eggs.

19. Machinery or equipment, including related structural components and containment structures, that is employed in connection with manufacturing, processing, fabricating, job printing, refining, mining, natural gas pipelines, metallurgical operations, telecommunications, producing or transmitting electricity or research and development and that

is used directly to meet or exceed rules or regulations adopted by the federal energy regulatory commission, the United States environmental protection agency, the United States nuclear regulatory commission, the Arizona department of environmental quality or a political subdivision of this state to prevent, monitor, control or reduce land, water or air pollution. For the purposes of this paragraph, "containment structure" means a structure that prevents, monitors, controls or reduces noxious or harmful discharge into the environment.

20. Machinery and equipment that are used in commercially producing livestock, livestock products or agricultural, horticultural, viticultural or floricultural crops or products in this state, including production by a person representing or working on behalf of such a person in a manner described in section 42-5075, subsection ~~P~~ P, if the machinery and equipment are used directly and primarily to prevent, monitor, control or reduce air, water or land pollution.

21. Machinery or equipment that enables a television station to originate and broadcast or to receive and broadcast digital television signals and that was purchased to facilitate compliance with the telecommunications act of 1996 (P.L. 104-104; 110 Stat. 56; 47 United States Code section 336) and the federal communications commission order issued April 21, 1997 (47 Code of Federal Regulations part 73). This paragraph does not exempt any of the following:

(a) Repair or replacement parts purchased for the machinery or equipment described in this paragraph.

(b) Machinery or equipment purchased to replace machinery or equipment for which an exemption was previously claimed and taken under this paragraph.

(c) Any machinery or equipment purchased after the television station has ceased analog broadcasting, or purchased after November 1, 2009, whichever occurs first.

22. Qualifying equipment that is purchased from and after June 30, 2004 through December 31, 2028 by a qualified business under section 41-1516 for harvesting or processing qualifying forest products removed from qualifying projects as defined in section 41-1516. To qualify for this exemption, the qualified business must obtain and present its certification from the Arizona commerce authority at the time of purchase.

23. Machinery, equipment, materials and other tangible personal property used directly and predominantly to construct a qualified environmental technology manufacturing, producing or processing facility as described in section 41-1514.02. This paragraph applies for ten full consecutive calendar or fiscal years after the start of initial construction.

24. Computer data center equipment sold to the owner, operator or qualified colocation tenant of a computer data center that is certified by the Arizona commerce authority under section 41-1519 or an authorized agent of the owner, operator or qualified colocation tenant during the qualification period for use in the qualified computer data center. For the purposes of this paragraph, "computer data center", "computer data center equipment", "qualification period" and "qualified colocation tenant" have the same meanings prescribed in section 41-1519.

C. The exemptions provided by subsection B of this section do not include:

1. Expendable materials. For the purposes of this paragraph, expendable materials do not include any of the categories of tangible personal property specified in subsection B of this section regardless of the cost or useful life of that property.

2. Janitorial equipment and hand tools.

3. Office equipment, furniture and supplies.

4. Tangible personal property used in selling or distributing activities, other than the telecommunications transmissions described in subsection B, paragraph 16 of this section.

5. Motor vehicles required to be licensed by this state, except buses or other urban mass transit vehicles specifically exempted pursuant to subsection B, paragraph 12 of this section, without regard to the use of such motor vehicles.

6. Shops, buildings, docks, depots and all other materials of whatever kind or character not specifically included as exempt.

7. Motors and pumps used in drip irrigation systems.

8. Machinery and equipment or tangible personal property used by a contractor in performing a contract.

D. The following shall be deducted in computing the purchase price of electricity by a retail electric customer from a utility business:

1. Revenues received from sales of ancillary services, electric distribution services, electric generation services, electric transmission services and other services related to providing electricity to a retail electric customer who is located outside this state for use outside this state if the electricity is delivered to a point of sale outside this state.

2. Revenues received from providing electricity, including ancillary services, electric distribution services, electric generation services, electric transmission services and other services related to providing electricity with respect to which the transaction privilege tax imposed under section 42-5063 has been paid.

E. The tax levied by this article does not apply to the purchase of solar energy devices from a retailer that is registered with the department as a solar energy retailer or a solar energy contractor.

F. The following shall be deducted in computing the purchase price of electricity by a retail electric customer from a utility business:

1. Fees charged by a municipally owned utility to persons constructing residential, commercial or industrial developments or connecting residential, commercial or industrial developments to a municipal utility system or systems if the fees are segregated and used only for capital expansion, system enlargement or debt service of the utility system or systems.

2. Reimbursement or contribution compensation to any person or persons owning a utility system for property and equipment installed to provide utility access to, on or across the land of an actual utility consumer if the property and equipment become the property of the utility. This deduction shall not exceed the value of such property and equipment.

G. The tax levied by this article does not apply to the purchase price of electricity, natural gas or liquefied petroleum gas by:

1. A qualified manufacturing or smelting business. A utility that claims this deduction shall report each month, on a form prescribed by the department, the name and address of each qualified manufacturing or smelting business for which this deduction is taken. This paragraph applies to gas transportation services. For the purposes of this paragraph:

(a) "Gas transportation services" means the services of transporting natural gas to a natural gas customer or to a natural gas distribution facility if the natural gas was purchased from a supplier other than the utility.

(b) "Manufacturing" means the performance as a business of an integrated series of operations that places tangible personal property in a form, composition or character different from that in which it was acquired and transforms it into a different product with a distinctive name, character or use. Manufacturing does not include job printing, publishing, packaging, mining, generating electricity or operating a restaurant.

(c) "Qualified manufacturing or smelting business" means one of the following:

(i) A business that manufactures or smelts tangible products in this state, of which at least fifty-one percent of the manufactured or smelted products will be exported out of state for incorporation into another product or sold out of state for a final sale.

(ii) A business that derives at least fifty-one percent of its gross income from the sale of manufactured or smelted products manufactured or smelted by the business.

(iii) A business that uses at least fifty-one percent of its square footage in this state for manufacturing or smelting and business activities directly related to manufacturing or smelting.

(iv) A business that employs at least fifty-one percent of its workforce in this state in manufacturing or smelting and business activities directly related to manufacturing or smelting.

(v) A business that uses at least fifty-one percent of the value of its capitalized assets in this state, as reflected on the business's books and records, for manufacturing or smelting and business activities directly related to manufacturing or smelting.

(d) "Smelting" means to melt or fuse a metalliferous mineral, often with an accompanying chemical change, usually to separate the metal.

2. A business that operates an international operations center in this state and that is certified by the Arizona commerce authority pursuant to section 41-1520.

H. A city or town may exempt proceeds from sales of paintings, sculptures or similar works of fine art if such works of fine art are sold by the original artist. For the purposes of this subsection, fine art does not include an art creation such as jewelry, macrame, glasswork, pottery, woodwork, metalwork, furniture or clothing if the art creation has a dual purpose, both aesthetic and utilitarian, whether sold by the artist or by another person.

I. For the purposes of subsection B of this section:

1. "Agricultural aircraft" means an aircraft that is built for agricultural use for the aerial application of pesticides or fertilizer or for aerial seeding.

2. "Aircraft" includes:

(a) An airplane flight simulator that is approved by the federal aviation administration for use as a phase II or higher flight simulator under appendix H, 14 Code of Federal Regulations part 121.

(b) Tangible personal property that is permanently affixed or attached as a component part of an aircraft that is owned or operated by a certificated or licensed carrier of persons or property.

3. "Other accessories and related equipment" includes aircraft accessories and equipment such as ground service equipment that physically contact aircraft at some point during the overall carrier operation.

J. For the purposes of subsection D of this section, "ancillary services", "electric distribution service", "electric generation service", "electric transmission service" and "other services" have the same meanings prescribed in section 42-5063.

EXPLANATION OF BLEND
SECTION 42-11111

Laws 2026, Chapters 2, 82 and 140

Laws 2026, Ch. 82, section 1

Effective September 12, 2026

Laws 2026, Ch. 140, section 11

Effective September 12, 2026

Explanation

Since Laws 2026, Ch. 82 and Ch. 140 amended the Laws 2026, Ch. 2 version and these three enactments are compatible, the Laws 2026, Ch. 82 and Ch. 140 text changes to section 42-11111 are blended in the form shown on the following pages.

BLEND OF SECTION 42-11111
Laws 2026, Chapters 2, 82 and 140

42-11111. Exemption for property: widows and widowers: persons with a total and permanent disability: veterans with a disability: definitions

A. The property of widows and widowers, of persons with total and permanent disabilities and of veterans with service or nonservice connected disabilities who are residents of this state is exempt from taxation as provided by article IX, section 2, Constitution of Arizona, and subject to the conditions and limits prescribed by this section.

B. Pursuant to article IX, section 2, subsection F, Constitution of Arizona, the exemptions from taxation under this section are allowed as provided in subsections C, D, ~~and E~~, ~~F AND G~~ of this section.

C. The primary residence of a veteran with a service-connected disability whose disability rating by the United States department of veterans affairs is one hundred percent ~~OR WHOSE DISABILITY STATUS IS TOTAL DISABILITY BASED ON INDIVIDUAL UNEMPLOYABILITY~~ is fully exempt from taxation. ~~The surviving spouse of a veteran whose primary residence is receiving the exemption under this subsection may continue to claim the full exemption for the surviving spouse's primary residence as long as the surviving spouse does not remarry.~~ For the purposes of this subsection, a primary residence that is owned by a veteran who is eligible for the exemption under this subsection and the veteran's spouse shall be treated as if owned solely by the veteran.

D. The property of a veteran with a nonservice-connected disability whose disability rating by the United States department of veterans affairs is one hundred percent or less or with a service-connected disability whose disability rating by the United States department of veterans affairs is less than one hundred percent is exempt in the amount of \$4,188. The limit under this subsection is further limited by multiplying the total exemption amount by the percentage of the veteran's disability, as rated by the United States department of veterans affairs.

E. ~~EXCEPT AS PROVIDED IN SUBSECTION F OR G OF THIS SECTION~~, the property of a widow or widower or a person with a total and permanent disability ~~WHOSE INCOME FROM ALL SOURCES DOES NOT EXCEED THE LIMITS PRESCRIBED BY SUBSECTION J OF THIS SECTION~~ is exempt in the amount of:

1. \$4,188 if the person's total assessment does not exceed the amount provided in paragraph 2 of this subsection.
2. No exemption if the person's total assessment exceeds \$28,459.

F. ~~THE PRIMARY RESIDENCE OF A WIDOW OR WIDOWER WHO IS THE SURVIVING SPOUSE OF A VETERAN WHO WAS ELIGIBLE FOR THE EXEMPTION UNDER SUBSECTION C OF THIS SECTION IS FULLY EXEMPT FROM TAXATION.~~

G. ~~THE PRIMARY RESIDENCE OF A WIDOW OR WIDOWER WHO IS THE SURVIVING SPOUSE OF A VETERAN WHO WAS ELIGIBLE FOR THE EXEMPTION UNDER SUBSECTION D~~

OF THIS SECTION IS EXEMPT IN THE AMOUNT OF \$4,188. THE LIMIT UNDER THIS SUBSECTION IS FURTHER LIMITED BY MULTIPLYING THE TOTAL EXEMPTION AMOUNT BY THE PERCENTAGE OF THAT VETERAN'S DISABILITY, AS RATED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS.

Ch. 140

~~F.~~ H. On or before December 31 of each year, the department shall increase the following amounts:

1. The total allowable exemption amount under subsection D, ~~and~~ subsection E, paragraph 1 ~~AND SUBSECTION G~~ of this section based on the average annual percentage increase, if any, in the GDP price deflator in the two most recent complete state fiscal years.

2. Beginning in tax year 2026, the total assessment limit amount under subsection E, paragraph 2 of this section based on the average annual percentage increase, if any, in the federal house price index for the two most recent complete state fiscal years.

Ch. 140

3. The total income limit amounts under subsection ~~H~~ J, paragraphs 1 and 2 of this section based on the average annual percentage increase, if any, in the GDP price deflator in the two most recent complete state fiscal years.

~~G.~~ I. For the purpose of determining the amount of the allowable exemption pursuant to subsection E of this section, the person's total assessment shall not include the value of any vehicle that is taxed under title 28, chapter 16, article 3.

Ch. 140

~~H.~~ J. Pursuant to article IX, section 2, subsection F, Constitution of Arizona, to qualify for ~~an~~ THE exemption ~~under~~ PRESCRIBED IN SUBSECTION E OF this section, the total income from all sources of the claimant and the claimant's spouse and the income from all sources of all of the claimant's children who resided with the claimant in the claimant's residence in the year immediately preceding the year for which the claimant applies for the exemption shall not exceed:

1. \$34,901 if none of the claimant's children under eighteen years of age resided with the claimant in the claimant's residence.

2. \$41,870 if one or more of the claimant's children residing with the claimant in the claimant's residence either:

(a) Were under eighteen years of age.

(b) Had a total and permanent physical or mental disability, as certified by competent medical authority as provided by law.

Ch. 140

~~I. For the purposes of subsection H of this section, "income from all sources" means the sum of the following, excluding the items listed in subsection J of this section:~~

~~1. Adjusted gross income as defined by the department.~~

~~2. The amount of capital gains excluded from adjusted gross income.~~

~~3. Nontaxable strike benefits.~~

~~4. Nontaxable interest that is received from the federal government or any of its instrumentalities.~~

~~5. Payments that are received from a retirement program and paid by:~~

~~(a) This state or any of its political subdivisions.~~

~~(b) The United States through any of its agencies, instrumentalities or programs, except as provided in subsection J of this section.~~

~~6. The gross amount of any pension or annuity that is not otherwise exempted.~~

~~J. Notwithstanding subsection I of this section, income from all sources does not include monies received from:~~

- ~~1. Cash public assistance and relief.~~
- ~~2. Railroad retirement benefits.~~
- ~~3. Payments under the federal social security act (49 Stat. 620).~~
- ~~4. Payments under the unemployment insurance laws of this state.~~
- ~~5. Payments from any veterans pensions.~~
- ~~6. Workers' compensation payments.~~
- ~~7. Loss of time insurance.~~
- ~~8. Gifts from nongovernmental sources, surplus foods or other relief in kind supplied by a governmental agency.~~

Ch. 140 { K. A ~~widow or widower, a person with a total and permanent disability or a veteran with a disability~~ PERSON shall establish eligibility for exemption under this section by filing an affidavit with the county assessor under section 42-11152 when initially claiming the exemption AND, IF CLAIMING THE EXEMPTION UNDER SUBSECTION F OR G OF THIS SECTION, PROVIDING EVIDENCE OF THE VETERAN SPOUSE'S DISABILITY RATING BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS OR TOTAL DISABILITY BASED ON INDIVIDUAL UNEMPLOYABILITY TO THE COUNTY ASSESSOR. Each year thereafter, the person WHO CLAIMS THE EXEMPTION PRESCRIBED IN SUBSECTION E OF THIS SECTION or the person's representative shall annually calculate income from the preceding year to ensure that the person still qualifies for the exemption. and THE PERSON OR THE PERSON'S REPRESENTATIVE SHALL notify the county assessor in writing of any DISQUALIFYING event ~~that disqualifies the person from further exemption.~~ Regardless of whether the person or THE PERSON'S representative notifies the COUNTY assessor as required by this subsection, the property is subject to tax as provided by law from the date of ~~disqualification~~ THE DISQUALIFYING EVENT, including interest, penalties and proceedings for tax delinquencies. ~~Disqualifying events include~~ A DISQUALIFYING EVENT INCLUDES:

- ~~1. Except as provided in subsection C of this section,~~ The person's death.
2. The remarriage of a widow or widower.
3. FOR THE EXEMPTION PRESCRIBED IN SUBSECTION E OF THIS SECTION, the person's income from all sources exceeding the limits prescribed by subsection ~~H~~ J of this section.
4. The conveyance of title to the property to another owner.

L. IN ORDER FOR A SUBSEQUENT PRIMARY RESIDENCE OF A PERSON WHO CLAIMS ANY OF THE EXEMPTIONS PRESCRIBED BY THIS SECTION TO BE ELIGIBLE FOR EXEMPTION, WITHIN SIXTY DAYS AFTER THE SUBSEQUENT PRIMARY RESIDENCE BECOMES THE PERSON'S PRIMARY RESIDENCE THE PERSON MUST FILE WITH THE COUNTY ASSESSOR OF THE COUNTY IN WHICH THE SUBSEQUENT PRIMARY RESIDENCE IS LOCATED A FULLY COMPLETED EXEMPTION TRANSFER FORM AS PRESCRIBED BY THE DEPARTMENT.

~~T.~~ M. Any dollar amount of exemption that is unused in a tax year against the limited property value of property and improvements owned by the individual may be applied for the tax year against the value of personal property subject to special property taxes, including the taxes collected pursuant to title 5, chapter 3, article 3 and title 28, chapter 16, article 3.

Ch. 140 { ~~M.~~ N. The property tax exemptions ~~provided~~ PRESCRIBED in subsections C, D, and E, F AND G of this section are exclusive from each other, and an

Ch. 140 { individual is not entitled to property tax exemptions under more than one ~~category as a widow or widower, a person with a total and permanent disability or a veteran with a disability~~ SUBSECTION even if the individual is eligible for an exemption in more than one category SUBSECTION.

~~N~~ 0. For the purposes of this section:

1. "Competent medical authority" means any of the following:

- (a) An individual licensed under title 32, chapter 8, 13, 14, 17, 19.1, 25 or 29 or a comparable law of another state.
- (b) A registered nurse practitioner as defined in section 32-1601.
- (c) The United States department of veterans affairs, as evidenced by a disability award letter.

Ch. 82 { (d) THE UNITED STATES SOCIAL SECURITY ADMINISTRATION, AS EVIDENCED BY A WRITTEN DETERMINATION LETTER.

2. "Federal house price index" means the average measure of movement of single-family house prices in the United States published by the federal housing finance agency, or its successor, for this state.

3. "GDP price deflator" means the average of the four implicit price deflators for the gross domestic product reported by the United States department of commerce or its successor for the four quarters of the state fiscal year.

4. "INCOME FROM ALL SOURCES":

(a) MEANS THE SUM OF THE FOLLOWING:

- (i) ADJUSTED GROSS INCOME AS DEFINED BY THE DEPARTMENT.
- (ii) THE AMOUNT OF CAPITAL GAINS EXCLUDED FROM ADJUSTED GROSS INCOME.
- (iii) NONTAXABLE STRIKE BENEFITS.
- (iv) NONTAXABLE INTEREST THAT IS RECEIVED FROM THE FEDERAL GOVERNMENT OR ANY OF ITS INSTRUMENTALITIES.

(v) PAYMENTS THAT ARE RECEIVED FROM A RETIREMENT PROGRAM AND PAID BY THIS STATE OR ANY POLITICAL SUBDIVISION OF THIS STATE OR THE UNITED STATES THROUGH ANY OF ITS AGENCIES, INSTRUMENTALITIES OR PROGRAMS, EXCEPT AS PROVIDED IN SUBDIVISION (b) OF THIS PARAGRAPH.

Ch. 140 { (vi) THE GROSS AMOUNT OF ANY PENSION OR ANNUITY THAT IS NOT OTHERWISE EXEMPTED.

(b) DOES NOT INCLUDE MONIES RECEIVED FROM:

- (i) CASH PUBLIC ASSISTANCE AND RELIEF.
- (ii) RAILROAD RETIREMENT BENEFITS.
- (iii) PAYMENTS UNDER THE FEDERAL SOCIAL SECURITY ACT (49 STAT. 620).
- (iv) PAYMENTS UNDER THE UNEMPLOYMENT INSURANCE LAWS OF THIS STATE.
- (v) PAYMENTS FROM ANY VETERANS PENSIONS.
- (vi) WORKERS' COMPENSATION PAYMENTS.
- (vii) LOSS OF TIME INSURANCE.
- (viii) GIFTS FROM NONGOVERNMENTAL SOURCES, SURPLUS FOODS OR OTHER RELIEF IN KIND SUPPLIED BY A GOVERNMENTAL AGENCY.

(iv) VETERANS DISABILITY PAYMENTS DUE TO THE DISABILITY RATING OR STATUS OF TOTAL DISABILITY BASED ON INDIVIDUAL UNEMPLOYABILITY.

~~4~~ 5. "Person with a total and permanent disability" means a person who is unable to engage in any substantial gainful activity, for pay or profit, by reason of any physical or mental impairment that is expected to last for a continuous period of at least twelve months or result in death within twelve months as certified by a competent medical authority.

~~5.~~ 6. "Veteran" means an individual who has served in, and been discharged, separated or released under honorable conditions from, active or inactive service in the uniformed services of the United States, including:

(a) All regular, reserve and national guard components of the United States army, navy, air force, marine corps and coast guard.

(b) The commissioned corps of the national oceanic and atmospheric administration.

(c) The commissioned corps of the United States public health service.

(d) A nurse in the service of the American red cross or in the army and navy nurse corps.

(e) Any other civilian service that is authorized by federal law to be considered active military duty for the purpose of laws administered by the United States secretary of veterans affairs.

EXPLANATION OF BLEND
SECTION 42-18204

Laws 2026, Chapters 66 and 256

Laws 2026, Ch. 66, section 3

Effective September 12, 2026

Laws 2026, Ch. 256, section 2

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 66, sec. 3 and Ch. 256 text changes to section 42-18204 are blended in the form shown on the following pages.

Section 42-18204 was amended an additional time by Laws 2026, Ch. 66, sec. 4 with a delayed effective date, which will require separate publication in addition to this blend.

BLEND OF SECTION 42-18204
Laws 2026, Chapters 66 and 256

42-18204. Judgment foreclosing right to redeem: effect

A. In an action to foreclose the right to redeem:

1. If the court finds that the tax lien sale is valid, the tax lien has not been redeemed and the defendant's request for an excess proceeds sale is unreasonable or the defendant did not request an excess proceeds sale, the court shall enter judgment:

(a) Foreclosing the right of the defendant to redeem.

(b) Directing the county treasurer to expeditiously execute and deliver to the party in whose favor judgment is entered, including the state, a deed conveying the property described in the certificate of purchase.

2. If the court finds that the tax lien sale is valid, the tax lien has not been redeemed and the defendant's request for an excess proceeds sale is reasonable, the court shall enter judgment:

(a) Foreclosing the right of the defendant to redeem.

(b) Directing the sale of the property pursuant to article 6 of this chapter.

(c) Setting the opening bid for the property as the total of the amounts described in subsection B, paragraph 1, subdivisions (a), (b), (c) and (e) of this section and any other reasonable fees as determined by the court.

B. A property owner whose right to redeem is being foreclosed OR A CERTIFICATE OF PURCHASE HOLDER may request the court to determine if the sale of the property to recover excess proceeds is reasonable AT ANY TIME BEFORE THE COURT'S JUDGMENT IS EFFECTIVE PURSUANT TO COURT RULES. The court shall determine that the sale of the property for excess proceeds is reasonable if the sale price of the property is likely to be more than \$2,500 above the total of the amounts described in paragraph 1 of this subsection. If a request is made for an excess proceeds sale, the following information shall be provided to the court for the purposes of determining if an excess proceeds sale is reasonable:

1. The certificate of purchase holder shall provide all of the following:

(a) The costs related to filing the claim to foreclose the right to redeem, including estimated attorney fees and costs to be incurred through the date of the excess proceeds sale, if ordered.

(b) The amount for which the real property tax lien was sold, with interest at a rate of sixteen percent per annum from the date of the tax lien sale through the date of the excess proceeds sale, if ordered.

(c) The amount of any statutory fees the certificate of purchase holder paid in connection with the certificate of purchase, except the processing fee imposed by section 42-18116, subsection C, with interest at

a rate of sixteen percent per annum from the date of the tax lien sale through the date of the excess proceeds sale, if ordered.

(d) The amount of all other recorded state liens or encumbrances on the state property as indicated on a title report provided by the certificate of purchase holder, including other years in which taxes are delinquent. For the purposes of this subdivision, the certificate of purchase holder does not have to determine the actual balance owed on any lien or encumbrance on the property, except for property taxes owed.

(e) The estimated cost of the sale of property pursuant to article 6 of this chapter.

(f) Any other evidence relating to the value of the property or objecting to the excess proceeds sale that the certificate of purchase holder deems necessary.

2. The property owner whose right to redeem is being foreclosed shall provide a reasonable estimate of the market value of the property.

C. After entering judgment the parties whose rights to redeem the tax lien are thereby foreclosed have no further legal or equitable right, title or interest in the property subject to the right of appeal and stay of execution as in other civil actions.

D. The foreclosure of the right to redeem does not extinguish any of the following:

1. An easement on or appurtenant to the property.

Ch. 66 — 2. A lien for an assessment levied pursuant to title 48, chapter 4, 6, 14 or 18 or section 9-276 [OR 11-268](#). For the purposes of this paragraph, assessment does not include an abatement lien imposed under section 9-499.

3. If the court finds that the request for an excess proceeds sale is reasonable, the property owner's interest in the excess proceeds from the sale of the property pursuant to article 6 of this chapter.

EXPLANATION OF BLEND
SECTION 42-18204

Laws 2026, Chapters 66 and 256

Laws 2026, Ch. 66, section 4

Effective October 1, 2028

Laws 2026, Ch. 256, section 2

Effective September 12, 2026

Explanation

Since these two enactments are compatible, the Laws 2026, Ch. 66, sec. 4 and Ch. 256 text changes to section 42-18204 are blended effective from and after September 30, 2028 in the form shown on the following pages.

BLEND OF SECTION 42-18204
Laws 2026, Chapters 66 and 256

42-18204. Judgment foreclosing right to redeem: effect

A. In an action to foreclose the right to redeem:

1. If the court finds that the tax lien sale is valid, the tax lien has not been redeemed and the defendant's request for an excess proceeds sale is unreasonable or the defendant did not request an excess proceeds sale, the court shall enter judgment:

(a) Foreclosing the right of the defendant to redeem.

(b) Directing the county treasurer to expeditiously execute and deliver to the party in whose favor judgment is entered, including the state, a deed conveying the property described in the certificate of purchase.

2. If the court finds that the tax lien sale is valid, the tax lien has not been redeemed and the defendant's request for an excess proceeds sale is reasonable, the court shall enter judgment:

(a) Foreclosing the right of the defendant to redeem.

(b) Directing the sale of the property pursuant to article 6 of this chapter.

(c) Setting the opening bid for the property as the total of the amounts described in subsection B, paragraph 1, subdivisions (a), (b), (c) and (e) of this section and any other reasonable fees as determined by the court.

B. A property owner whose right to redeem is being foreclosed **OR A CERTIFICATE OF PURCHASE HOLDER** may request the court to determine if the sale of the property to recover excess proceeds is reasonable **AT ANY TIME BEFORE THE COURT'S JUDGMENT IS EFFECTIVE PURSUANT TO COURT RULES**. The court shall determine that the sale of the property for excess proceeds is reasonable if the sale price of the property is likely to be more than \$2,500 above the total of the amounts described in paragraph 1 of this subsection. If a request is made for an excess proceeds sale, the following information shall be provided to the court for the purposes of determining if an excess proceeds sale is reasonable:

1. The certificate of purchase holder shall provide all of the following:

(a) The costs related to filing the claim to foreclose the right to redeem, including estimated attorney fees and costs to be incurred through the date of the excess proceeds sale, if ordered.

(b) The amount for which the real property tax lien was sold, with interest at a rate of sixteen percent per annum from the date of the tax lien sale through the date of the excess proceeds sale, if ordered.

(c) The amount of any statutory fees the certificate of purchase holder paid in connection with the certificate of purchase, except the processing fee imposed by section 42-18116, subsection C, with interest at

a rate of sixteen percent per annum from the date of the tax lien sale through the date of the excess proceeds sale, if ordered.

(d) The amount of all other recorded state liens or encumbrances on the state property as indicated on a title report provided by the certificate of purchase holder, including other years in which taxes are delinquent. For the purposes of this subdivision, the certificate of purchase holder does not have to determine the actual balance owed on any lien or encumbrance on the property, except for property taxes owed.

(e) The estimated cost of the sale of property pursuant to article 6 of this chapter.

(f) Any other evidence relating to the value of the property or objecting to the excess proceeds sale that the certificate of purchase holder deems necessary.

2. The property owner whose right to redeem is being foreclosed shall provide a reasonable estimate of the market value of the property.

C. After entering judgment the parties whose rights to redeem the tax lien are thereby foreclosed have no further legal or equitable right, title or interest in the property subject to the right of appeal and stay of execution as in other civil actions.

D. The foreclosure of the right to redeem does not extinguish any of the following:

1. An easement on or appurtenant to the property.

Ch. 66 — 2. A lien for an assessment levied pursuant to title 48, chapter 4, 6, 14 or 18 or section 9-276 OR 11-268. For the purposes of this paragraph, assessment does not include an abatement lien imposed under section 9-499.

3. If the court finds that the request for an excess proceeds sale is reasonable, the property owner's interest in the excess proceeds from the sale of the property pursuant to article 6 of this chapter.