

REFERENCE TITLE: license denial; prohibition; drug convictions

State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021

HB 2319

Introduced by
Representatives Toma: Blackman, Bowers, Carroll

AN ACT

AMENDING TITLE 41, CHAPTER 6, ARTICLE 11, ARIZONA REVISED STATUTES, BY
ADDING SECTION 41-1093.06; RELATING TO OCCUPATIONAL REGULATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 41, chapter 6, article 11, Arizona Revised
3 Statutes, is amended by adding section 41-1093.06, to read:
4 41-1093.06. Occupational licenses; drug offense conviction;
5 eligibility; exceptions; definition
6 A. NOTWITHSTANDING ANY OTHER LAW, AN AGENCY MAY NOT DENY TO AN
7 OTHERWISE QUALIFIED APPLICANT WHO HAS BEEN CONVICTED OF AN OFFENSE THAT
8 INVOLVES A VIOLATION OF TITLE 13, CHAPTER 34 OR 34.1 OR AN OFFENSE
9 COMMITTED IN ANOTHER JURISDICTION THAT HAS THE SAME ELEMENTS AS AN OFFENSE
10 LISTED IN TITLE 13, CHAPTER 34 OR 34.1 EITHER OF THE FOLLOWING:
11 1. THE REGULAR OCCUPATIONAL LICENSE FOR WHICH THE APPLICANT
12 APPLIED.
13 2. A PROVISIONAL OCCUPATIONAL LICENSE.
14 B. THIS SECTION DOES NOT APPLY TO THE FOLLOWING:
15 1. THE STATE BOARD OF EDUCATION FOR THE PURPOSES OF CERTIFICATION
16 OF PERSONS PURSUANT TO SECTION 15-501.01.
17 2. A HEALTH PROFESSION REGULATORY BOARD AS DEFINED IN SECTION
18 32-3201.
19 3. THE DEPARTMENT OF HEALTH SERVICES FOR THE PURPOSES OF TITLE 36,
20 CHAPTER 28.1.
21 4. A LAW ENFORCEMENT AGENCY AND THE ARIZONA PEACE OFFICER STANDARDS
22 AND TRAINING BOARD.
23 C. FOR THE PURPOSES OF THIS SECTION, "OCCUPATIONAL LICENSE" MEANS
24 ANY AGENCY PERMIT, CERTIFICATE, APPROVAL, REGISTRATION OR CHARTER OR ANY
25 SIMILAR FORM OF PERMISSION THAT ALLOWS AN INDIVIDUAL TO USE AN
26 OCCUPATIONAL TITLE OR WORK IN A LAWFUL OCCUPATION, TRADE OR PROFESSION.