

REFERENCE TITLE: child care; licensing; technical correction

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1402

Introduced by
Senator Wadsack

AN ACT

AMENDING SECTION 36-889, ARIZONA REVISED STATUTES; RELATING TO CHILD CARE PROGRAMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-889, Arizona Revised Statutes, is amended to
3 read:

4 36-889. Licensees; applicants; residency; controlling
5 persons; requirements

6 A. Each licensee, other than a corporation, a limited liability
7 company, an association or a partnership, shall be a citizen of the United
8 States who is a resident of this state, or a legal resident alien who is a
9 resident of this state. A corporation, association or limited liability
10 company shall be a domestic entity or a foreign entity that is qualified
11 to do business in this state. A partnership shall have at least one
12 partner who is a citizen of the United States and who is a resident of
13 this state, or who is a legal resident alien and who is a resident of this
14 state.

15 B. The department shall not issue or renew a license unless a list
16 of each of the applicant's or licensee's controlling persons is on file
17 with the department and no controlling person has been denied a
18 certificate to operate a child care group home or a license to operate a
19 child care facility for the care of children in this state or ~~other~~
20 ~~ANOTHER~~ state or has had a license to operate a child care facility or a
21 certificate to operate a child care group home revoked for reasons that
22 relate to the endangerment of the health and safety of children.

23 C. The applicant or licensee shall notify the department within
24 thirty days after the election of any new officer or director or of any
25 change in the controlling persons and shall provide the department the
26 name and business or residential address of each controlling person and an
27 affirmation by the applicant that no controlling person has been denied a
28 certificate to operate a child care group home or a license to operate a
29 child care facility for the care of children in this state or another
30 state or has had a license to operate a child care facility or a
31 certificate to operate a child care group home revoked for reasons that
32 relate to the endangerment of the health and safety of children.

33 D. Each applicant or licensee shall designate an agent who is
34 authorized to receive communications from the department, including legal
35 service of process, and to file and sign documents for the applicant or
36 licensee. The designated agent shall be all of the following:

- 37 1. A controlling person.
- 38 2. A citizen of the United States or a legal resident alien.
- 39 3. A resident of this state.