



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

Senate: FICO DP 7-0-0-0 | 3rd Read 24-4-2-0

House: GOV DP 8-1-0-0 | 3rd Read 45-9-5-0-1

SB 1367: occupational license; criminal record

Sponsor: Senator Bolick, LD 2

Transmitted to the Governor

Overview

Modifies statute relating to a petition for review of criminal records for an occupational license.

History

Current law allows a person with a criminal record to petition an agency, at any time, for a determination of whether the person's criminal record disqualifies the person from obtaining a license, permit, certificate or other state recognition. If a person was convicted seven years prior to the date of a petition and their conviction has not been set aside, an agency may determine the individual disqualified from obtaining a license, permit, certificate or other state recognition ([A.R.S. § 41-1093.04](#)).

Provisions

1. Specifies that when making a determination regarding a person's petition, an agency may determine disqualification from a license, permit or certificate if the person was convicted within *three* years of the date of petition, rather than seven years. (Sec. 1)
2. Includes a conviction that has been sealed in exemptions to a state agency disqualifying a person from obtaining a license, permit or certificate. (Sec. 1)
3. Prohibits an agency, when determining disqualification from a license, permit or certificate, from considering negatively whether a person would qualify for a fingerprint clearance card issued pursuant to statute without a good cause exception. (Sec. 1)
4. Requires, rather than allows an agency to advise a person of the actions they may take to remedy a disqualification if an agency determines that the state's interest to protect public safety is superior to the person's right. (Sec. 1)
5. Directs an agency to post the statutorily required report of information relating to the number of applicants, petitions and determinations, from the previous calendar year, on their website. (Sec. 1)
6. Makes technical changes. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note