



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

FACT SHEET FOR S.B. 1468

judicial review; occupational licenses

Purpose

Allows a licensee, certificate holder, registrant or applicant to forgo an administrative appeal and seek judicial review of an agency's denial, suspension or revocation of an occupational license, if the licensee, certificate holder, registrant or applicant believes the denial, suspension or revocation was for political reasons or due to political bias.

Background

Statute requires proceedings for licenses or permits on application when not required by law to be preceded by notice and opportunity for hearing to be governed by the provisions of the law relating to the particular agency, provided that when an application for a license or permit is denied under the provisions of the law relating to a particular agency the applicant must be entitled to have a hearing before such agency on such denial upon filing within 15 days after receipt of notice of such refusal a written application for such hearing ([A.R.S. § 41-1065](#)).

Revocation or suspension of any license is not lawful unless, before the action, the agency provides the licensee with notice and an opportunity for a hearing. If the agency finds that the public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, the agency may order summary suspension of a license pending proceedings for revocation or other action. The outlined proceedings must be promptly instituted and determined ([A.R.S. § 41-1092.11](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows a licensee, certificate holder, registrant or applicant to forgo an administrative appeal and seek judicial review of an agency's denial, suspension or revocation of an occupational license, if the licensee, certificate holder, registrant or applicant believes the denial, suspension or revocation was for political reasons or due to political bias.
2. Allows the court, if it finds for the licensee, certificate holder, registrant or applicant, to reinstate the occupational license and award any damages and attorney fees.
3. Defines *occupational license* as any agency permit, certificate, approval, registration or charter or any similar form of permission that allows an individual to use an occupational title or work in a lawful occupation, trade or profession.
4. Becomes effective on the general effective date.