

REFERENCE TITLE: sober living; regulation

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SB 1565

Introduced by
Senator Hatathlie

AN ACT

AMENDING SECTION 36-2062, ARIZONA REVISED STATUTES; AMENDING TITLE 36, CHAPTER 18, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 36-2062.01 AND 36-2062.02; AMENDING SECTIONS 36-2063 AND 36-2066, ARIZONA REVISED STATUTES; AMENDING TITLE 36, CHAPTER 18, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 36-2068, 36-2069 AND 36-2070; AMENDING SECTIONS 41-619.51, 41-1758 AND 41-1758.01, ARIZONA REVISED STATUTES; RELATING TO SOBER LIVING HOMES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 36-2062, Arizona Revised Statutes, is amended to
3 read:

4 **36-2062. Licensure; standards; civil penalties; use of title**

5 A. The director shall adopt rules to establish minimum standards
6 and requirements for the licensure of sober living homes in this state
7 necessary to ensure the public health, safety and welfare. The director
8 may use the current standards adopted by any recognized national
9 organization approved by the department as guidelines in prescribing the
10 minimum standards and requirements under this subsection. The standards
11 shall include:

12 1. A requirement that each sober living home ~~to~~ develop policies
13 and procedures to allow individuals who are on medication-assisted
14 treatment to continue to receive this treatment while living in the sober
15 living home.

16 2. Consistent and fair practices for drug and alcohol testing,
17 including frequency, that promote the residents' recovery.

18 3. Policies and procedures for the residence to maintain an
19 environment that promotes the safety of the surrounding neighborhood and
20 the community at large.

21 4. Policies and procedures for discharge planning of persons living
22 in the residence that do not negatively impact the surrounding community.

23 5. A good neighbor policy to address neighborhood concerns and
24 complaints.

25 6. A requirement that the operator of each sober living home have
26 available for emergency personnel an up-to-date list of current
27 medications and medical conditions of each person living in the home.

28 7. A policy that ensures residents are informed of all sober living
29 home rules, residency requirements and resident agreements.

30 8. Policies and procedures for ~~the management of~~ **MANAGING** all
31 monies received and spent by the sober living home in accordance with
32 standard accounting practices, including monies received from residents of
33 the sober living home.

34 9. A requirement that each sober living home post a statement of
35 resident rights that includes the right to file a complaint about the
36 residence or provider and information about how to file a complaint.

37 10. Policies that promote recovery by requiring residents to
38 participate in treatment, self-help groups or other recovery supports.

39 11. Policies requiring abstinence from alcohol and illicit drugs.

40 12. Procedures regarding the appropriate use and security of
41 medication by a resident.

42 13. Policies regarding the maintenance of sober living homes,
43 including the installation of functioning smoke detectors, carbon monoxide
44 detectors and fire extinguishers and compliance with local fire codes
45 applicable to comparable dwellings occupied by single families.

1 14. Policies and procedures that prohibit a sober living home
2 owner, employee or administrator from requiring a resident to sign any
3 document for the purpose of relinquishing the resident's public assistance
4 benefits, including medical assistance benefits, cash assistance and
5 supplemental nutrition assistance program benefits.

6 15. Policies and procedures for managing complaints about sober
7 living homes.

8 16. Requirements for ~~the notification of~~ NOTIFYING a family member
9 or other emergency contact designated by a resident under certain
10 circumstances, including death due to an overdose.

11 B. The licensure of a sober living home under this article is for
12 one year. A person operating a sober living home in this state that has
13 failed to attain or maintain licensure of the sober living home shall pay
14 ~~a civil penalty of up to one thousand dollars~~ CIVIL PENALTIES AS
15 PRESCRIBED IN SECTION 36-2063 for each violation.

16 C. To receive and maintain licensure, a sober living home must
17 comply with all federal, state and local laws, including the Americans
18 with disabilities act of 1990.

19 D. A treatment facility that is licensed by the department ~~for the~~
20 ~~treatment of~~ TO TREAT substance use disorders and that has one or more
21 sober living homes on the same campus as the facility's program shall
22 obtain licensure for each sober living home pursuant to this article.

23 E. Once the director adopts the minimum standards as required in
24 subsection A of this section, a person may not establish, conduct or
25 maintain in this state a sober living home unless that person holds a
26 current and valid license issued by the department or is certified as
27 prescribed in section 36-2064. The license is valid only for the
28 establishment, operation and maintenance of the sober living home. The
29 licensee may not:

30 1. Imply by advertising, ~~— OR~~ directory listing or otherwise IMPLY
31 that the licensee is authorized to perform services more specialized or of
32 a higher degree of care than is authorized by this article and the
33 ~~underlying~~ ADOPTED rules for sober living homes.

34 2. Transfer or assign the license. A license is valid only for the
35 premises occupied by the sober living home at the time of its issuance.

36 Sec. 2. Title 36, chapter 18, article 4, Arizona Revised Statutes,
37 is amended by adding sections 36-2062.01 and 36-2062.02, to read:

38 36-2062.01. Fingerprinting requirements

39 AS A CONDITION OF LICENSURE OR CONTINUED LICENSURE OF A SOBER LIVING
40 HOME AND AS A CONDITION OF EMPLOYMENT IN A SOBER LIVING HOME, EMPLOYEES
41 AND OWNERS OF SOBER LIVING HOMES, CONTRACTED PERSONS OF SOBER LIVING HOMES
42 AND VOLUNTEERS OF SOBER LIVING HOMES SHALL BOTH:

43 1. SUBMIT A FULL SET OF FINGERPRINTS TO THE DEPARTMENT OF HEALTH
44 SERVICES FOR THE PURPOSE OF OBTAINING A STATE AND FEDERAL CRIMINAL RECORDS
45 CHECK PURSUANT TO SECTION 41-1750 AND PUBLIC LAW 92-544. THE DEPARTMENT

1 OF PUBLIC SAFETY MAY EXCHANGE THIS FINGERPRINT DATA WITH THE FEDERAL
2 BUREAU OF INVESTIGATION. THE DEPARTMENT OF HEALTH SERVICES MAY CHARGE THE
3 COST OF EACH CRIMINAL BACKGROUND CHECK TO THE APPLICANT.

4 2. HAVE A VALID FINGERPRINT CLEARANCE CARD THAT IS ISSUED PURSUANT
5 TO TITLE 41, CHAPTER 12, ARTICLE 3.1.

6 36-2062.02. Staff education and training; staff ratios;
7 supervision

8 A. THE DEPARTMENT SHALL ESTABLISH BY RULE ANNUAL CONTINUING
9 EDUCATION AND TRAINING REQUIREMENTS FOR EMPLOYEES, VOLUNTEERS AND
10 CONTRACTORS WHO WORK IN SOBER LIVING HOMES, INCLUDING PEER SUPPORT
11 SPECIALISTS AND BEHAVIORAL HEALTH TECHNICIANS.

12 B. A SOBER LIVING HOME SHALL MAINTAIN A STAFF RATIO OF TWO STAFF
13 MEMBERS, WHO PROVIDE MONITORING OR ASSISTANCE TO RESIDENTS AT THE SOBER
14 LIVING HOME, FOR EVERY SIX RESIDENTS.

15 C. A STAFF MEMBER WHO IS AN EMPLOYEE OF THE SOBER LIVING HOME AND
16 WHO PROVIDES MONITORING OR ASSISTANCE TO RESIDENTS OF THE SOBER LIVING
17 HOME MUST SUPERVISE THE SOBER LIVING HOME TWENTY-FOUR HOURS A DAY.

18 Sec. 3. Section 36-2063, Arizona Revised Statutes, is amended to
19 read:

20 36-2063. Fees; licensure; inspections; violation;
21 classification; civil penalty; sanctions

22 A. The department shall establish fees for initial licensure and
23 license renewal OF A SOBER LIVING HOME and a fee for the late payment of
24 licensing fees that includes a grace period. The department shall
25 deposit, pursuant to sections 35-146 and 35-147, ninety percent of the
26 fees collected pursuant to this section in the health services licensing
27 fund established by section 36-414 and ten percent of the fees collected
28 pursuant to this section in the state general fund.

29 B. On a determination by the director that there is reasonable
30 cause to believe a sober living home is not adhering to the licensing
31 requirements of this article, the director and any duly designated
32 employee or agent of the director ~~may~~ SHALL enter on and into the premises
33 of any sober living home that is licensed or required to be licensed
34 pursuant to this article at any reasonable time for the purpose of
35 determining the state of compliance with this article, the rules adopted
36 pursuant to this article and local fire ordinances or rules. Any
37 application for licensure under this article constitutes permission for
38 and complete acquiescence in any entry or inspection of the premises
39 during the pendency of the application and, if licensed, during the term
40 of the license. If an inspection reveals that the sober living home is
41 not adhering to the licensing requirements established pursuant to this
42 article, the director ~~may~~ SHALL take action authorized by this article.

43 C. Any sober living home whose license has been suspended ~~or~~
44 ~~revoked~~ in accordance with this article is subject to inspection on
45 application for ~~relicensure or~~ reinstatement of THE license. IF A SOBER

1 LIVING HOME LICENSE IS REVOKED IN THIS STATE OR ANY OTHER STATE, THE
2 LICENSEE OF THE SOBER LIVING HOME WHOSE LICENSE WAS REVOKED MAY NOT
3 REAPPLY FOR ANY LICENSE ISSUED PURSUANT TO THIS TITLE FOR A PERIOD OF AT
4 LEAST FIVE YEARS.

5 D. A SOBER LIVING HOME THAT OPERATES IN THIS STATE WITHOUT A
6 LICENSE IN VIOLATION OF THIS ARTICLE IS GUILTY OF A CLASS 6 FELONY AND THE
7 DIRECTOR SHALL ASSESS A CIVIL PENALTY OF AT LEAST \$5,000 AND NOT MORE THAN
8 \$10,000 FOR EACH VIOLATION. EACH DAY THE SOBER LIVING HOME OPERATES
9 WITHOUT A LICENSE IS A SEPARATE VIOLATION.

10 E. The director ~~may~~ SHALL impose a civil penalty on a person
11 that violates this article or the rules adopted pursuant to this article
12 in an amount of ~~AT LEAST \$5,000 AND~~ not more than ~~five hundred dollars~~
13 ~~\$10,000~~ for each violation. Each day that a violation occurs constitutes
14 a separate violation. The director ~~may~~ SHALL issue a notice that includes
15 the ~~proposed~~ amount of the civil penalty assessment. If a person requests
16 a hearing to appeal an assessment, the director may not take further
17 action to enforce and collect the assessment until the hearing process is
18 complete. The director shall impose a civil penalty only for those days
19 for which the violation has been documented by the department.

20 F. The department may impose sanctions and commence
21 disciplinary actions against a licensed sober living home, including
22 revoking the license. A license may not be suspended or revoked under
23 this article without affording the licensee notice and an opportunity for
24 a hearing as provided in title 41, chapter 6, article 10.

25 G. The department may contract with a third party to assist the
26 department with licensure and inspections.

27 Sec. 4. Section 36-2066, Arizona Revised Statutes, is amended to
28 read:

29 36-2066. Posting: sober living homes; update

30 The department shall post on its public website the name, ADDRESS,
31 ~~and~~ telephone number, DEPARTMENT-ISSUED LICENSE NUMBER, LOCAL JURISDICTION
32 BUSINESS LICENSE NUMBER AND LICENSURE STATUS of each certified and
33 licensed sober living home IN THIS STATE and shall update the list
34 quarterly. ~~The department may not disclose the address of a certified or~~
35 ~~licensed sober living home except to a local jurisdiction for zoning~~
36 ~~purposes, local law enforcement and emergency personnel. A sober living~~
37 ~~home's address is not a public record and is not subject to title 39,~~
38 ~~chapter 1, article 2.~~

39 Sec. 5. Title 36, chapter 18, article 4, Arizona Revised Statutes,
40 is amended by adding sections 36-2068, 36-2069 and 36-2070, to read:

41 36-2068. Resident acceptance: notification of family;
42 conditions for transportation

43 A. AT THE TIME OF ACCEPTING A RESIDENT INTO A SOBER LIVING HOME,
44 THE SOBER LIVING HOME SHALL NOTIFY THE RESIDENT'S FAMILY OR NEXT OF KIN

1 WITHIN SEVENTY-TWO HOURS AFTER ACCEPTING THE RESIDENT. THE NOTIFICATION
2 SHALL BE DOCUMENTED IN THE RESIDENT'S RECORD.

3 B. A SOBER LIVING HOME MAY NOT COORDINATE, FACILITATE, ARRANGE FOR
4 OR SOLICIT TRANSPORTATION OF A PERSON TO THE SOBER LIVING HOME IF THE
5 PERSON IS INTOXICATED OR UNDER THE INFLUENCE OF ALCOHOL OR OTHER
6 SUBSTANCES, UNLESS THE PERSON IS REFERRED BY AN APPROVED PROVIDER OF A
7 TRIBAL HEALTH CARE PROGRAM OR A REGIONAL BEHAVIORAL HEALTH AUTHORITY OR IS
8 COURT-ORDERED.

9 36-2069. Resident discharge; transportation; documentation

10 A SOBER LIVING HOME SHALL INQUIRE, BOTH VERBALLY AND IN WRITING,
11 WHETHER A RESIDENT WANTS TO BE TRANSPORTED TO THE RESIDENT'S PLACE OF
12 RESIDENCE OR AN ALTERNATIVE SAFE LIVING SPACE IN THIS STATE AS REQUESTED
13 BY THE RESIDENT AFTER DISCHARGE FROM THE SOBER LIVING HOME. THE
14 RESIDENT'S WISHES REGARDING TRANSPORTATION SHALL BE DOCUMENTED ON A FORM
15 PRESCRIBED BY THE DEPARTMENT OF HEALTH SERVICES, SIGNED BY THE RESIDENT
16 AND RETAINED IN THE RESIDENT'S RECORD. THE SOBER LIVING HOME SHALL ENSURE
17 SAFE AND RELIABLE TRANSPORTATION, AS DETERMINED BY THE DEPARTMENT OF
18 HEALTH SERVICES, FOR A RESIDENT WHO WISHES TO BE TRANSPORTED TO THE
19 RESIDENT'S PLACE OF RESIDENCE OR AN ALTERNATIVE SAFE LIVING SPACE IN THIS
20 STATE AS REQUESTED BY THE RESIDENT ON DISCHARGE.

21 36-2070. Notification requirements; rules; sex offender
22 registration

23 A. A MANAGER OR STAFF OF A SOBER LIVING HOME SHALL NOTIFY THE
24 DEPARTMENT, IN A DEPARTMENT-PROVIDED FORMAT, IMMEDIATELY AND NOT MORE THAN
25 SIX HOURS AFTER ANY OF THE FOLLOWING OCCURS:

26 1. THE DEATH OF A RESIDENT, INCLUDING WHETHER THE DEATH MAY HAVE
27 BEEN DRUG-RELATED.

28 2. A RESIDENT NEEDED IMMEDIATE INTERVENTION BY AN EMERGENCY MEDICAL
29 PROVIDER OR OTHER HEALTH CARE PROVIDER FOR A POSSIBLE OVERDOSE OR OTHER
30 DRUG OR ALCOHOL-RELATED ILLNESS.

31 3. A SEX-RELATED CRIME MAY HAVE BEEN COMMITTED AT THE SOBER LIVING
32 HOME.

33 4. ANY OTHER INCIDENT SPECIFIED IN RULE BY THE DEPARTMENT.

34 B. SOBER LIVING HOME MANAGERS AND STAFF MAY NOT HAVE A PERSONAL OR
35 INTIMATE RELATIONSHIP WITH A RESIDENT OF THE SOBER LIVING HOME.

36 C. THE MANAGER OR STAFF OF A SOBER LIVING HOME SHALL CONTACT LAW
37 ENFORCEMENT IF THE MANAGER OR STAFF IS INFORMED THAT A RESIDENT OF THE
38 SOBER LIVING HOME MAY HAVE BEEN INVOLVED IN A SEX-RELATED CRIME.

39 D. A SOBER LIVING LICENSEE SHALL ENSURE THAT ANY RESIDENT OF THE
40 LICENSEE'S SOBER LIVING HOME WHO IS REQUIRED TO REGISTER PURSUANT TO
41 SECTION 13-3821 REGISTERS WITHIN THE STATUTORILY REQUIRED TIME FRAME AFTER
42 ADMISSION TO THE SOBER LIVING HOME.

1 Sec. 6. Section 41-619.51, Arizona Revised Statutes, is amended to
2 read:

3 **41-619.51. Definitions**

4 In this article, unless the context otherwise requires:

5 1. "Agency" means the supreme court, the department of economic
6 security, the department of child safety, the department of education, the
7 department of health services, the department of juvenile corrections, the
8 department of emergency and military affairs, the department of public
9 safety, the department of transportation, the state real estate
10 department, the department of insurance and financial institutions, the
11 Arizona game and fish department, the Arizona department of agriculture,
12 the board of examiners of nursing care institution administrators and
13 assisted living facility managers, the state board of dental examiners,
14 the Arizona state board of pharmacy, the board of physical therapy, the
15 state board of psychologist examiners, the board of athletic training, the
16 board of occupational therapy examiners, the state board of podiatry
17 examiners, the acupuncture board of examiners, the state board of
18 technical registration, ~~or~~ the board of massage therapy or the Arizona
19 department of housing.

20 2. "Board" means the board of fingerprinting.

21 3. "Central registry exception" means notification to the
22 department of economic security, the department of child safety or the
23 department of health services, as appropriate, pursuant to section
24 41-619.57 that the person is not disqualified because of a central
25 registry check conducted pursuant to section 8-804.

26 4. "Expedited review" means an examination, in accordance with
27 board rule, of the documents an applicant submits by the board or its
28 hearing officer without the applicant being present.

29 5. "Good cause exception" means the issuance of a fingerprint
30 clearance card to an employee pursuant to section 41-619.55.

31 6. "Person" means a person who is required to be fingerprinted
32 pursuant to this article or who is subject to a central registry check and
33 any of the following:

34 (a) Section 3-314.
35 (b) Section 8-105.
36 (c) Section 8-322.
37 (d) Section 8-463.
38 (e) Section 8-509.
39 (f) Section 8-802.
40 (g) Section 8-804.
41 (h) Section 15-183.
42 (i) Section 15-503.
43 (j) Section 15-512.
44 (k) Section 15-534.
45 (l) Section 15-763.01.

1 (m) Section 15-782.02.
2 (n) Section 15-1330.
3 (o) Section 15-1881.
4 (p) Section 17-215.
5 (q) Section 28-3228.
6 (r) Section 28-3413.
7 (s) Section 32-122.02.
8 (t) Section 32-122.05.
9 (u) Section 32-122.06.
10 (v) Section 32-823.
11 (w) Section 32-1232.
12 (x) Section 32-1276.01.
13 (y) Section 32-1284.
14 (z) Section 32-1297.01.
15 (aa) Section 32-1904.
16 (bb) Section 32-1941.
17 (cc) Section 32-1982.
18 (dd) Section 32-2022.
19 (ee) Section 32-2063.
20 (ff) Section 32-2108.01.
21 (gg) Section 32-2123.
22 (hh) Section 32-2371.
23 (ii) Section 32-3430.
24 (jj) Section 32-3620.
25 (kk) Section 32-3668.
26 (ll) Section 32-3669.
27 (mm) Section 32-3922.
28 (nn) Section 32-3924.
29 ~~(pp)~~ (oo) Section 32-4128.
30 ~~(oo)~~ (pp) Section 32-4222.
31 (qq) Section 36-113.
32 (rr) Section 36-207.
33 (ss) Section 36-411.
34 (tt) Section 36-425.03.
35 (uu) Section 36-446.04.
36 (vv) Section 36-594.01.
37 (ww) Section 36-594.02.
38 (xx) Section 36-766.01.
39 (yy) Section 36-882.
40 (zz) Section 36-883.02.
41 (aaa) Section 36-897.01.
42 (bbb) Section 36-897.03.
43 (ccc) SECTION 36-2062.01.
44 ~~(ccc)~~ (ddd) Section 36-3008.
45 ~~(ddd)~~ (eee) Section 41-619.53.

1 ~~eee~~ (fff) Section 41-1964.
2 ~~fff~~ (ggg) Section 41-1967.01.
3 ~~ggg~~ (hhh) Section 41-1968.
4 ~~hhh~~ (iii) Section 41-1969.
5 ~~iii~~ (jjj) Section 41-2814.
6 ~~jjj~~ (kkk) Section 41-4025.
7 ~~kkk~~ (lll) Section 46-141, subsection A or B.
8 ~~lll~~ (mmm) Section 46-321.

9 Sec. 7. Section 41-1758, Arizona Revised Statutes, is amended to
10 read:

11 41-1758. Definitions

12 In this article, unless the context otherwise requires:

13 1. "Agency" means the supreme court, the department of economic
14 security, the department of child safety, the department of education, the
15 department of health services, the department of juvenile corrections, the
16 department of emergency and military affairs, the department of public
17 safety, the department of transportation, the state real estate
18 department, the department of insurance and financial institutions, the
19 board of fingerprinting, the Arizona game and fish department, the Arizona
20 department of agriculture, the board of examiners of nursing care
21 institution administrators and assisted living facility managers, the
22 state board of dental examiners, the Arizona state board of pharmacy, the
23 board of physical therapy, the state board of psychologist examiners, the
24 board of athletic training, the board of occupational therapy examiners,
25 the state board of podiatry examiners, the acupuncture board of examiners,
26 the state board of technical registration, the board of massage therapy or
27 the Arizona department of housing.

28 2. "Division" means the fingerprinting division in the department
29 of public safety.

30 3. "Electronic or internet-based fingerprinting services" means a
31 secure system for digitizing applicant fingerprints and transmitting the
32 applicant data and fingerprints of a person or entity submitting
33 fingerprints to the department of public safety for any authorized purpose
34 under this title. For the purposes of this paragraph, "secure system"
35 means a system that complies with the information technology security
36 policy approved by the department of public safety.

37 4. "Good cause exception" means the issuance of a fingerprint
38 clearance card to an applicant pursuant to section 41-619.55.

39 5. "Person" means a person who is required to be fingerprinted
40 pursuant to any of the following:

- 41 (a) Section 3-314.
- 42 (b) Section 8-105.
- 43 (c) Section 8-322.
- 44 (d) Section 8-463.
- 45 (e) Section 8-509.

- 1 (f) Section 8-802.
- 2 (g) Section 15-183.
- 3 (h) Section 15-503.
- 4 (i) Section 15-512.
- 5 (j) Section 15-534.
- 6 (k) Section 15-763.01.
- 7 (l) Section 15-782.02.
- 8 (m) Section 15-1330.
- 9 (n) Section 15-1881.
- 10 (o) Section 17-215.
- 11 (p) Section 28-3228.
- 12 (q) Section 28-3413.
- 13 (r) Section 32-122.02.
- 14 (s) Section 32-122.05.
- 15 (t) Section 32-122.06.
- 16 (u) Section 32-823.
- 17 (v) Section 32-1232.
- 18 (w) Section 32-1276.01.
- 19 (x) Section 32-1284.
- 20 (y) Section 32-1297.01.
- 21 (z) Section 32-1904.
- 22 (aa) Section 32-1941.
- 23 (bb) Section 32-1982.
- 24 (cc) Section 32-2022.
- 25 (dd) Section 32-2063.
- 26 (ee) Section 32-2108.01.
- 27 (ff) Section 32-2123.
- 28 (gg) Section 32-2371.
- 29 (hh) Section 32-3430.
- 30 (ii) Section 32-3620.
- 31 (jj) Section 32-3668.
- 32 (kk) Section 32-3669.
- 33 (ll) Section 32-3922.
- 34 (mm) Section 32-3924.
- 35 (nn) Section 32-4128.
- 36 (oo) Section 32-4222.
- 37 (pp) Section 36-113.
- 38 (qq) Section 36-207.
- 39 (rr) Section 36-411.
- 40 (ss) Section 36-425.03.
- 41 (tt) Section 36-446.04.
- 42 (uu) Section 36-594.01.
- 43 (vv) Section 36-594.02.
- 44 (ww) Section 36-766.01.
- 45 (xx) Section 36-882.

1 (yy) Section 36-883.02.
2 (zz) Section 36-897.01.
3 (aaa) Section 36-897.03.
4 (bbb) **SECTION 36-2062.01.**
5 ~~(bbb)~~ (ccc) Section 36-3008.
6 ~~(ccc)~~ (ddd) Section 41-619.52.
7 ~~(ddd)~~ (eee) Section 41-619.53.
8 ~~(eee)~~ (fff) Section 41-1964.
9 ~~(fff)~~ (ggg) Section 41-1967.01.
10 ~~(ggg)~~ (hhh) Section 41-1968.
11 ~~(hhh)~~ (iii) Section 41-1969.
12 ~~(iii)~~ (jjj) Section 41-2814.
13 ~~(jjj)~~ (kkk) Section 41-4025.
14 ~~(kkk)~~ (lll) Section 46-141, subsection A or B.
15 ~~(lll)~~ (mmm) Section 46-321.
16 6. "Rap back services" has the same meaning prescribed in section
17 41-1750.
18 7. "Vulnerable adult" has the same meaning prescribed in section
19 13-3623.

20 Sec. 8. Section 41-1758.01, Arizona Revised Statutes, is amended to
21 read:

22 **41-1758.01. Fingerprinting division; powers and duties**

23 A. The fingerprinting division is established in the department of
24 public safety and shall:

25 1. Conduct fingerprint background checks for persons and applicants
26 who are seeking licenses from state agencies, employment with licensees,
27 contract providers and state agencies or employment or educational
28 opportunities with agencies that require fingerprint background checks
29 pursuant to sections 3-314, 8-105, 8-322, 8-463, 8-509, 8-802, 15-183,
30 15-503, 15-512, 15-534, 15-763.01, 15-782.02, 15-1330, 15-1881, 17-215,
31 28-3228, 28-3413, 32-122.02, 32-122.05, 32-122.06, 32-823, 32-1232,
32 32-1276.01, 32-1284, 32-1297.01, 32-1904, 32-1941, 32-1982, 32-2022,
33 32-2063, 32-2108.01, 32-2123, 32-2371, 32-3430, 32-3620, 32-3668, 32-3669,
34 32-3922, 32-3924, 32-4128, 32-4222, 36-113, 36-207, 36-411, 36-425.03,
35 36-446.04, 36-594.01, 36-594.02, 36-766.01, 36-882, 36-883.02, 36-897.01,
36 36-897.03, **36-2062.01**, 36-3008, 41-619.52, 41-619.53, 41-1964, 41-1967.01,
37 41-1968, 41-1969, 41-2814, ~~— AND~~ 41-4025, section 46-141, subsection A or B
38 and section 46-321.

39 2. Issue fingerprint clearance cards. On issuance, a fingerprint
40 clearance card becomes the personal property of the cardholder and the
41 cardholder shall retain possession of the fingerprint clearance card.

42 3. On submission of an application for a fingerprint clearance
43 card, collect the fees established by the board of fingerprinting pursuant
44 to section 41-619.53 and deposit, pursuant to sections 35-146 and 35-147,
45 the monies collected in the board of fingerprinting fund.

1 4. Inform in writing each person who submits fingerprints for a
2 fingerprint background check of the right to petition the board of
3 fingerprinting for a good cause exception pursuant to section 41-1758.03,
4 41-1758.04 or 41-1758.07.

5 5. If after conducting a state and federal criminal history records
6 check the division determines that it is not authorized to issue a
7 fingerprint clearance card to a person, inform the person in writing that
8 the division is not authorized to issue a fingerprint clearance card. The
9 notice shall include the criminal history information on which the denial
10 was based. This criminal history information is subject to dissemination
11 restrictions pursuant to section 41-1750 and Public Law 92-544.

12 6. Notify the person in writing if the division suspends, revokes
13 or places a driving restriction notation on a fingerprint clearance card
14 pursuant to section 41-1758.04. The notice shall include the criminal
15 history information on which the suspension, revocation or placement of
16 the driving restriction notation was based. This criminal history
17 information is subject to dissemination restrictions pursuant to section
18 41-1750 and Public Law 92-544.

19 7. Administer and enforce this article.

20 B. The fingerprinting division may contract for electronic or
21 internet-based fingerprinting services through an entity or entities for
22 the acquisition and transmission of applicant fingerprint and data
23 submissions to the department, including identity verified fingerprints
24 pursuant to section 15-106. The entity or entities contracted by the
25 department of public safety may charge the applicant a fee for services
26 provided pursuant to this article. The entity or entities contracted by
27 the department of public safety shall comply with:

28 1. All information privacy and security measures and submission
29 standards established by the department of public safety.

30 2. The information technology security policy approved by the
31 department of public safety.

32 Sec. 9. Rulemaking exemption; intent

33 A. Notwithstanding any other law, for the purposes of this act and
34 amending the rules relating to sober living homes, the department of
35 health services is exempt from the rulemaking requirements of title 41,
36 chapters 6 and 6.1, Arizona Revised Statutes, through June 30, 2026.

37 B. The legislature intends for the department of health services to
38 review and amend the rules for sober living homes to ensure that there are
39 adequate and proper requirements for staffing, care and oversight.