

Senate Engrossed

behavior analysts; committee; regulatory authority

State of Arizona  
Senate  
Fifty-seventh Legislature  
Second Regular Session  
2026

# SENATE BILL 1145

AN ACT

AMENDING SECTIONS 32-2062, 32-2063 AND 32-2091.15, ARIZONA REVISED  
STATUTES; RELATING TO BEHAVIOR ANALYSTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 32-2062, Arizona Revised Statutes, is amended to  
3 read:

4 32-2062. State board of psychologist examiners; members;  
5 qualifications; appointments; terms; compensation;  
6 immunity

7 A. The state board of psychologist examiners is established  
8 consisting of ~~ten~~ EIGHT members WHO ARE appointed by the governor pursuant  
9 to section 38-211.

10 B. Each member of the board shall be a citizen of the United States  
11 and a resident of this state at the time of appointment. ~~Seven~~ FIVE  
12 members shall be licensed pursuant to this chapter, and three MEMBERS  
13 shall be public members who are not eligible for licensure. The board  
14 shall have at all times, except for the period when a vacancy exists, at  
15 least two members who are licensed as psychologists and who are full-time  
16 faculty members from universities in this state with a doctoral program in  
17 psychology that meets the requirements of section 32-2071, AND at least  
18 three members who are psychologists in professional practice ~~and at least~~  
19 ~~two members who are behavior analysts in professional practice and who are~~  
20 ~~members of the committee on behavior analysts.~~ The public members shall  
21 not have a substantial financial interest in the health care industry and  
22 shall not have a household member who is eligible for licensure under this  
23 chapter.

24 C. Each member shall serve for a term of five years beginning and  
25 ending on the third Monday in January.

26 D. A vacancy on the board occurring other than by the expiration of  
27 term shall be filled by appointment by the governor for the unexpired term  
28 as provided in subsection C of this section. The governor, after a  
29 hearing, may remove any member of the board for misconduct, incompetency  
30 or neglect of duty.

31 E. Board members shall receive compensation in the amount of ~~one~~  
32 ~~hundred dollars~~ \$100 for each cumulative eight hours of actual service in  
33 the business of the board and reimbursement of all expenses pursuant to  
34 title 38, chapter 4, article 2.

35 F. Members of the board and its employees, consultants and test  
36 examiners are personally immune from suit with respect to all acts done  
37 and actions taken in good faith and in furtherance of the purposes of this  
38 chapter.

39 Sec. 2. Section 32-2063, Arizona Revised Statutes, is amended to  
40 read:

41 32-2063. Powers and duties

42 A. The board shall:

43 1. Administer and enforce this chapter and board rules.

- 1           2. Regulate disciplinary actions, the granting, denial, revocation,  
2 renewal and suspension of licenses and the rehabilitation of licensees  
3 pursuant to this chapter and board rules.
- 4           3. Prescribe the forms, content and manner of application for  
5 INITIAL LICENSURE, TEMPORARY licensure and renewal of licensure and set  
6 deadlines for the receipt of materials required by the board.
- 7           4. Keep a record of all licensees, board actions taken on all  
8 applicants and licensees and the receipt and disbursal of monies.
- 9           5. Adopt an official seal for attesting licenses and other official  
10 papers and documents.
- 11          6. Investigate charges of violations of this chapter and board  
12 rules and orders.
- 13          7. Subject to title 41, chapter 4, article 4, employ an executive  
14 director who serves at the pleasure of the board.
- 15          8. Annually elect from among its membership a ~~chairman~~ CHAIRPERSON,  
16 a vice ~~chairman~~ CHAIRPERSON and a secretary, who serve at the pleasure of  
17 the board.
- 18          9. Adopt rules pursuant to title 41, chapter 6 to carry out this  
19 chapter and to define unprofessional conduct.
- 20          10. Engage in a full exchange of information with other regulatory  
21 boards and psychological associations, national psychology organizations  
22 and the Arizona psychological association and its components.
- 23          11. By rule, adopt a code of ethics relating to the practice of  
24 psychology. The board shall base this code on the code of ethics adopted  
25 and published by the American psychological association. The board shall  
26 apply the code to all board enforcement policies and disciplinary case  
27 evaluations and development of licensing examinations.
- 28          12. Adopt rules regarding the use of telepractice.
- 29          ~~13. Before the board takes action, receive and consider~~  
30 ~~recommendations from the committee on behavior analysts on all matters~~  
31 ~~relating to licensing and regulating behavior analysts, as well as~~  
32 ~~regulatory changes pertaining to the practice of behavior analysis, except~~  
33 ~~in the case of a summary suspension of a license pursuant to section~~  
34 ~~32-2091.09, subsection E.~~
- 35          ~~14.~~ 13. ~~Beginning January 1, 2022,~~ Require each applicant for an  
36 initial or temporary license or a license renewal pursuant to this chapter  
37 to have applied for a fingerprint clearance card pursuant to title 41,  
38 chapter 12, article 3.1. If an applicant is issued a valid fingerprint  
39 clearance card, the applicant shall submit the valid fingerprint clearance  
40 card to the board with the completed application. If an applicant applies  
41 for a fingerprint clearance card and is denied, the applicant may request  
42 that the board consider the application for licensure notwithstanding the  
43 absence of a valid fingerprint clearance card. The board, in its  
44 discretion, may approve an application for licensure despite the denial of  
45 a valid fingerprint clearance card if the board determines that the

1 applicant's criminal history information on which the denial is based does  
2 not alone disqualify the applicant from licensure.

3 14. DELEGATE TO THE COMMITTEE ON BEHAVIOR ANALYSTS THE BOARD'S  
4 AUTHORITY PURSUANT TO SECTIONS 32-2091.06, 32-2091.07 AND 32-2091.09  
5 RELATING TO LICENSING AND REGULATING BEHAVIOR ANALYSTS. THE BOARD SHALL  
6 ADOPT SUBSTANTIVE POLICY STATEMENTS PURSUANT TO SECTION 41-1091 FOR EACH  
7 SPECIFIC LICENSING AND REGULATORY AUTHORITY THE BOARD DELEGATES TO THE  
8 COMMITTEE ON BEHAVIOR ANALYSTS.

9 B. Subject to title 41, chapter 4, article 4, the board may employ  
10 personnel it deems necessary to carry out this chapter. The board, in  
11 investigating violations of this chapter, may employ investigators who may  
12 be psychologists. The board or its executive director may take and hear  
13 evidence, administer oaths and affirmations and compel by subpoena the  
14 attendance of witnesses and the production of books, papers, records,  
15 documents and other information relating to the investigation or hearing.

16 C. Subject to section 35-149, the board may accept, expend and  
17 account for gifts, grants, devises and other contributions, monies or  
18 property from any public or private source, including the federal  
19 government. The board shall deposit, pursuant to sections 35-146 and  
20 35-147, monies received pursuant to this subsection in special funds for  
21 the purpose specified, and monies in these funds are exempt from the  
22 provisions of section 35-190 relating to lapsing of appropriations.

23 D. Compensation for all personnel shall be determined pursuant to  
24 section 38-611.

25 Sec. 3. Section 32-2091.15, Arizona Revised Statutes, is amended to  
26 read:

27 32-2091.15. Committee on behavior analysts; membership;  
28 duties; board responsibilities

29 A. The committee on behavior analysts is established within the  
30 state board of psychologist examiners consisting of five members who are  
31 appointed by the governor and who serve at the pleasure of the governor.  
32 Each member shall serve for a term of five years beginning and ending on  
33 the third Monday in January. A committee member may not serve more than  
34 two full consecutive terms.

35 B. All members of the committee shall be licensed behavior analysts  
36 in professional practice, ~~two of whom shall be members of the board~~. The  
37 committee shall annually elect a chairperson from among its membership.

38 C. Within one year after their initial appointment to the  
39 committee, members shall receive at least five hours of training  
40 prescribed by the board that includes instruction in ethics and open  
41 meeting requirements.

42 D. Committee members shall receive reimbursement of all expenses  
43 pursuant to title 38, chapter 4, article 2.

1           E. ~~The committee shall make recommendations to the board on all~~  
2 ~~matters relating to the licensing and regulation of behavior analysts.~~  
3 The committee may recommend regulatory changes to the board that are not  
4 specific to an individual licensee, but the committee shall obtain public  
5 input from behavior analyst licensees or their designated representatives  
6 before making any final recommendation to the board.  
7           Sec. 4. Effective date  
8           This act is effective from and after December 31, 2026.