

REFERENCE TITLE: psilocybin services; regulation; licensure

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

## **SB 1570**

Introduced by  
Senators Shope: Carroll, Gowan, Kerr, Petersen, Shamp; Representatives  
Hernandez C, Payne, Peña

AN ACT

AMENDING TITLE 36, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 42;  
AMENDING SECTIONS 41-619.51, 41-1758 AND 41-1758.01, ARIZONA REVISED  
STATUTES; RELATING TO THE DEPARTMENT OF HEALTH SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 36, Arizona Revised Statutes, is amended by adding  
3 chapter 42, to read:

4 CHAPTER 42

5 PSILOCYBIN SERVICES

6 ARTICLE 1. GENERAL PROVISIONS

7 36-4201. Definitions

8 IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 1. "BOARD" MEANS THE ARIZONA PSILOCYBIN ADVISORY BOARD.

10 2. "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH SERVICES.

11 3. "INDIRECT SUPERVISION" MEANS THAT A HEALTH PROFESSIONAL WHO IS  
12 EMPLOYED BY OR CONTRACTED WITH A PSYCHEDELIC-ASSISTED THERAPY CENTER AND  
13 WHO IS NOT PHYSICALLY PRESENT AT THE LOCATION WHERE A PATIENT RECEIVES  
14 PSILOCYBIN SERVICES HAS GIVEN EITHER WRITTEN OR ORAL INSTRUCTIONS TO THE  
15 STAFF OF THE PSYCHEDELIC-ASSISTED THERAPY CENTER TO ADMINISTER PSILOCYBIN  
16 SERVICES TO THE PATIENT AND IS READILY AVAILABLE THROUGH  
17 TELECOMMUNICATIONS.

18 4. "LEGAL ENTITY" MEANS A CORPORATION, LIMITED LIABILITY COMPANY,  
19 LIMITED PARTNERSHIP OR OTHER SIMILAR BUSINESS ENTITY.

20 5. "LICENSEE" MEANS A PERSON THAT IS APPROVED BY THE DEPARTMENT TO  
21 OWN AND OPERATE A PSYCHEDELIC-ASSISTED THERAPY CENTER.

22 6. "PATIENT" MEANS AN INDIVIDUAL WHO IS PROVIDED PSILOCYBIN  
23 SERVICES IN THIS STATE.

24 7. "PSILOCYBIN" INCLUDES PSILOCIN.

25 8. "PSILOCYBIN PRODUCT":

26 (a) MEANS PSILOCYBIN-PRODUCING FUNGI AND MIXTURES OR A SUBSTANCE  
27 CONTAINING A DETECTABLE AMOUNT OF PSILOCYBIN.

28 (b) DOES NOT INCLUDE PSILOCYBIN SERVICES.

29 9. "PSILOCYBIN SERVICES" MEANS SERVICES THAT ARE PROVIDED TO A  
30 PATIENT BEFORE, DURING AND AFTER THE PATIENT'S CONSUMPTION OF A PSILOCYBIN  
31 PRODUCT, INCLUDING THE PREPARATION SESSION, ADMINISTRATION SESSION AND  
32 INTEGRATION SESSION.

33 10. "PSYCHEDELIC-ASSISTED THERAPY CENTER":

34 (a) MEANS A LICENSED HEALTH CARE INSTITUTION OR A PRIVATE OFFICE OR  
35 CLINIC OF A HEALTH PROFESSIONAL WHO IS LICENSED PURSUANT TO TITLE 32 IN  
36 WHICH PSILOCYBIN SERVICES ARE ADMINISTERED.

37 (b) DOES NOT INCLUDE A HOSPITAL, URGENT CARE CENTER, AMBULATORY  
38 SURGICAL CENTER, HOSPICE FACILITY OR NURSING CARE INSTITUTION.

39 36-4202. Psilocybin control and regulation fund

40 THE PSILOCYBIN CONTROL AND REGULATION FUND IS ESTABLISHED CONSISTING  
41 OF FEES COLLECTED AND CIVIL PENALTIES IMPOSED UNDER THIS CHAPTER. THE  
42 DEPARTMENT SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY  
43 APPROPRIATED AND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING  
44 TO LAPSING OF APPROPRIATIONS. MONIES IN THE FUND MAY BE USED TO PROVIDE  
45 GRANTS FOR PSILOCYBIN CLINICAL TRIALS.

1           36-4203. Arizona psilocybin advisory board; membership;  
2                                   terms; compensation

3           A. THE ARIZONA PSILOCYBIN ADVISORY BOARD IS ESTABLISHED WITHIN THE  
4 DEPARTMENT CONSISTING OF NOT MORE THAN TWELVE MEMBERS WHO ARE APPOINTED AS  
5 FOLLOWS:

6           1. FOUR MEMBERS APPOINTED BY THE GOVERNOR FROM THE FOLLOWING:

7           (a) A REPRESENTATIVE OF THE DEPARTMENT OF HEALTH SERVICES.

8           (b) A REPRESENTATIVE OF THE ARIZONA HEALTH CARE COST CONTAINMENT  
9 SYSTEM ADMINISTRATION.

10           (c) A REPRESENTATIVE OF THE OFFICE OF THE ATTORNEY GENERAL.

11           (d) A REPRESENTATIVE OF THE DEPARTMENT WHO IS FAMILIAR WITH HEALTH  
12 CARE INSTITUTION LICENSING.

13           (e) A PERSON WHO IS A PROFESSOR OR RESEARCHER AT A UNIVERSITY UNDER  
14 THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS.

15           2. FOUR MEMBERS APPOINTED BY THE PRESIDENT OF THE SENATE FROM THE  
16 FOLLOWING:

17           (a) AN ACTIVE MEMBER OR A VETERAN OF THE UNITED STATES ARMED  
18 FORCES.

19           (b) A PERSON WHO IS A LAW ENFORCEMENT OFFICER IN THIS STATE.

20           (c) A PERSON WHO REPRESENTS FIREFIGHTERS IN THIS STATE.

21           (d) A PERSON WHO PROVIDES LEGAL REPRESENTATION TO AND ADVOCATES ON  
22 BEHALF OF PERSONS WITH MENTAL ILLNESS OR SERIOUS MENTAL ILLNESS.

23           3. FOUR MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE OF  
24 REPRESENTATIVES FROM THE FOLLOWING:

25           (a) A PSYCHOLOGIST WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER  
26 19.1 AND WHO HAS PROFESSIONAL EXPERIENCE IN DIAGNOSING OR TREATING MENTAL,  
27 EMOTIONAL OR BEHAVIORAL CONDITIONS.

28           (b) A PHYSICIAN WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13 OR  
29 17 AND WHO HAS EXPERIENCE IN PSYCHEDELIC-ASSISTED THERAPY.

30           (c) A NATUROPATHIC PHYSICIAN WHO IS LICENSED PURSUANT TO TITLE 32,  
31 CHAPTER 14.

32           (d) A NURSE PRACTITIONER WHO IS LICENSED PURSUANT TO TITLE 32,  
33 CHAPTER 15.

34           (e) A PHYSICIAN WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13 OR  
35 17 AND WHO HAS EXPERTISE IN ADDICTION TREATMENT.

36           (f) A PHYSICIAN WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13 OR  
37 17 AND WHO HAS EXPERIENCE CONDUCTING CLINICAL RESEARCH INVOLVING THE USE  
38 OF SCHEDULE I CONTROLLED SUBSTANCES.

39           B. ON OR BEFORE DECEMBER 31, 2024, THE GOVERNOR, SPEAKER OF THE  
40 HOUSE OF REPRESENTATIVES AND PRESIDENT OF THE SENATE SHALL APPOINT THE  
41 MEMBERS OF THE BOARD AS SPECIFIED IN SUBSECTION A OF THIS SECTION.

42           C. ON OR BEFORE MARCH 1, 2025, THE BOARD SHALL HOLD ITS FIRST  
43 MEETING AT A TIME AND PLACE SPECIFIED BY THE DEPARTMENT.

44           D. BOARD MEMBERS SERVE FOUR-YEAR TERMS. A BOARD MEMBER IS NOT  
45 ELIGIBLE FOR REAPPOINTMENT ONCE THE PERSON HAS BEEN APPOINTED FOR TWO FULL

1 TERMS, IN ADDITION TO ANY TIME SERVED ON THE BOARD TO FILL A VACANCY. A  
2 PERSON MAY BE REAPPOINTED TO THE BOARD AFTER THE PERSON HAS NOT BEEN ON  
3 THE BOARD FOR A PERIOD OF AT LEAST TWO FULL TERMS.

4 E. THE BOARD SHALL ANNUALLY ELECT A CHAIRPERSON FROM AMONG ITS  
5 MEMBERS.

6 F. THE BOARD SHALL MEET AT LEAST ONCE EVERY TWO CALENDAR MONTHS AT  
7 A TIME AND PLACE DETERMINED BY THE CHAIRPERSON OR A MAJORITY OF THE VOTING  
8 MEMBERS OF THE BOARD.

9 G. MEMBERS OF THE BOARD ARE NOT ELIGIBLE TO RECEIVE COMPENSATION  
10 BUT ARE ELIGIBLE FOR REIMBURSEMENT OF EXPENSES PURSUANT TO TITLE 38,  
11 CHAPTER 4, ARTICLE 2.

12 36-4204. Board powers and duties; annual report

13 A. THE BOARD SHALL:

14 1. PUBLISH AN ANNUAL REPORT AS PRESCRIBED IN SUBSECTION C OF THIS  
15 SECTION.

16 2. APPROVE TRAINING PROGRAMS FOR LICENSEES AND HEALTH PROFESSIONALS  
17 WHO PROVIDE PSILOCYBIN SERVICES.

18 3. MAKE RECOMMENDATIONS TO THE DEPARTMENT RELATING TO  
19 MANUFACTURING, CULTIVATING, POSSESSING AND TRANSPORTING PSILOCYBIN.

20 B. THE BOARD MAY:

21 1. ADVISE AND MAKE RECOMMENDATIONS TO THE DEPARTMENT REGARDING THE  
22 IMPLEMENTATION OF THIS CHAPTER.

23 2. DETERMINE THE HEALTH AND SAFETY WARNINGS AND OTHER DISCLOSURES  
24 THAT MUST BE MADE TO A PATIENT BEFORE THE PATIENT RECEIVES PSILOCYBIN  
25 SERVICES.

26 3. RECOMMEND THE FORMULATION OF A CODE OF PROFESSIONAL CONDUCT FOR  
27 INDIVIDUALS WHO ARE LICENSED PURSUANT TO THIS ARTICLE, INCLUDING A CODE OF  
28 ETHICS.

29 4. MONITOR AND STUDY FEDERAL LAWS, REGULATIONS AND POLICIES  
30 REGARDING PSILOCYBIN.

31 C. ON OR BEFORE JULY 31, 2025, AND EACH JULY 31 THEREAFTER, THE  
32 BOARD, IN CONSULTATION WITH THE DEPARTMENT, SHALL PUBLISH AND DISTRIBUTE  
33 TO THE PUBLIC A REPORT THAT INCLUDES:

34 1. A SUMMARY OF AVAILABLE MEDICAL, PSYCHOLOGICAL AND SCIENTIFIC  
35 STUDIES, RESEARCH AND OTHER INFORMATION RELATING TO THE SAFETY AND  
36 EFFICACY OF PSILOCYBIN IN TREATING MENTAL HEALTH CONDITIONS, INCLUDING  
37 ADDICTION, DEPRESSION, ANXIETY DISORDERS AND END-OF-LIFE PSYCHOLOGICAL  
38 DISTRESS.

39 2. A LONG-TERM STRATEGIC PLAN FOR ENSURING THAT  
40 PSYCHEDELIC-ASSISTED THERAPY WILL BECOME AND REMAIN A SAFE, ACCESSIBLE AND  
41 AFFORDABLE THERAPEUTIC OPTION FOR ALL PERSONS WHO ARE AT LEAST TWENTY-ONE  
42 YEARS OF AGE IN THIS STATE AND FOR WHOM PSILOCYBIN MAY BE APPROPRIATE,  
43 CONSIDERING FEDERAL LAWS, REGULATIONS AND POLICIES REGARDING PSILOCYBIN.

1           36-4205. Training programs; minimum requirements

2           A. A TRAINING PROGRAM FOR LICENSEES AND HEALTH PROFESSIONALS WHO  
3 SERVE AS MEDICAL DIRECTORS OF PSYCHEDELIC-ASSISTED THERAPY CENTERS SHALL  
4 PROVIDE CORE TRAINING THAT CONSISTS OF AT LEAST ONE HUNDRED THIRTY-TWO  
5 HOURS OF INSTRUCTION. FOR TRAINING THAT IS NOT CONDUCTED IN PERSON, AT  
6 LEAST FIFTY PERCENT OF THE TRAINING MUST BE CONVEYED THROUGH ONLINE  
7 SYNCHRONOUS LEARNING.

8           B. A PERSON WHO APPLIES TO HAVE THE PERSON'S TRAINING PROGRAM  
9 APPROVED MUST DEMONSTRATE THAT THE TRAINING PROGRAM CURRICULUM CONSISTS OF  
10 AT LEAST THE FOLLOWING MINIMUM HOURS OF INSTRUCTION, IN THE FOLLOWING  
11 AREAS:

12           1. HISTORICAL, TRADITIONAL AND CONTEMPORARY PRACTICES AND  
13 APPLICATIONS: TWELVE HOURS.

14           2. SAFETY, ETHICS AND RESPONSIBILITIES: TWELVE HOURS.

15           3. PSILOCYBIN PHARMACOLOGY, NEUROSCIENCE AND CLINICAL RESEARCH:  
16 TWENTY HOURS.

17           4. CORE FACILITATION SKILLS: SIXTEEN HOURS.

18           5. PREPARATION AND ORIENTATION: SIXTEEN HOURS.

19           6. ADMINISTRATION: SIXTEEN HOURS.

20           7. INTEGRATION: TWELVE HOURS.

21           8. GROUP FACILITATION: SIXTEEN HOURS.

22           9. THIS STATE'S PUBLIC MENTAL HEALTH SYSTEMS: FOUR HOURS.

23           10. THIS STATE'S CRISIS MENTAL HEALTH SYSTEM: FOUR HOURS.

24           C. TRAINING PROGRAMS MUST COMPLY WITH THE REQUIREMENTS SPECIFIED IN  
25 THE DEPARTMENT'S RULES TO MAINTAIN APPROVED STATUS.

26           D. THE REQUIREMENTS LISTED IN SUBSECTION B OF THIS SECTION ARE  
27 MINIMUM REQUIREMENTS. A TRAINING PROGRAM MAY OFFER ADDITIONAL MODULES OR  
28 HOURS OF INSTRUCTION.

29           36-4206. Licensure of psychedelic-assisted therapy centers;  
30 department duties; rules; fees; prohibitions

31           A. ON OR BEFORE JANUARY 1, 2026, THE DEPARTMENT SHALL BEGIN  
32 RECEIVING APPLICATIONS TO LICENSE PERSONS TO OPERATE PSYCHEDELIC-ASSISTED  
33 THERAPY CENTERS AS A HEALTH CARE INSTITUTION. ALL PROVISIONS OF CHAPTER  
34 4, ARTICLE 2 OF THIS TITLE RELATING TO LICENSURE AND ENFORCEMENT,  
35 INCLUDING IMPOSING CIVIL PENALTIES PURSUANT TO SECTION 36-431.01, APPLY TO  
36 PSYCHEDELIC-ASSISTED THERAPY CENTERS, EXCEPT THAT ALL LICENSURE AND  
37 RENEWAL FEES AND CIVIL PENALTIES COLLECTED PURSUANT TO THIS ARTICLE SHALL  
38 BE DEPOSITED, PURSUANT TO SECTIONS 35-146 AND 35-147, IN THE PSILOCYBIN  
39 CONTROL AND REGULATION FUND ESTABLISHED BY SECTION 36-4202.

40           B. THE DEPARTMENT SHALL:

41           1. ADOPT RULES, INCLUDING RULES THAT THE DEPARTMENT CONSIDERS  
42 NECESSARY TO PROTECT THE PUBLIC HEALTH AND SAFETY.

43           2. ESTABLISH AND COLLECT APPLICATION, LICENSING AND RENEWAL FEES  
44 FOR LICENSEES.



1 PSYCHEDELIC-ASSISTED THERAPY CENTER DURING ALL HOURS OF OPERATION AS THE  
2 MEDICAL DIRECTOR.

3 5. MAINTAIN A RECORD FOR EACH STAFF MEMBER THAT INCLUDES:

4 (a) VERIFICATION OF HAVING A CURRENT UNRESTRICTED HEALTH  
5 PROFESSIONAL LICENSE ISSUED PURSUANT TO TITLE 32, IF APPLICABLE.

6 (b) EVIDENCE OF SUCCESSFULLY COMPLETING A PSILOCYBIN SERVICES  
7 TRAINING PROGRAM FOR ANY EMPLOYEE REQUIRED TO BE TRAINED PURSUANT TO THIS  
8 ARTICLE.

9 (c) EVIDENCE THAT THE STAFF MEMBER HOLDS A VALID FINGERPRINT  
10 CLEARANCE CARD ISSUED PURSUANT TO SECTION 41-1758.07.

11 C. THE DEPARTMENT MAY NOT LICENSE AN APPLICANT UNDER THIS ARTICLE  
12 IF THE APPLICANT IS UNDER TWENTY-ONE YEARS OF AGE.

13 D. AN APPLICANT FOR A LICENSE TO OPERATE A PSYCHEDELIC-ASSISTED  
14 THERAPY CENTER MAY RECEIVE A LICENSE IF ONE OF THE FOLLOWING APPLIES:

15 1. BOTH OF THE FOLLOWING APPLY:

16 (a) THE OWNER CAN DEMONSTRATE THAT THE PSILOCYBIN PRODUCT TO BE  
17 USED AT THE PSYCHEDELIC-ASSISTED THERAPY CENTER IS FROM A MANUFACTURER,  
18 DISTRIBUTOR, DISPENSER, IMPORTER OR EXPORTER WITH A LICENSE ISSUED  
19 PURSUANT TO THE CONTROLLED SUBSTANCES ACT (P.L. 91-513; 84 STAT. 1242; 21  
20 UNITED STATES CODE SECTIONS 801 THROUGH 904).

21 (b) THE PSYCHEDELIC-ASSISTED THERAPY CENTER IS OPERATING TO CONDUCT  
22 RESEARCH FOR A CLINICAL TRIAL OF WHOLE MUSHROOM PSILOCYBIN PHASE ONE,  
23 PHASE TWO AND PHASE THREE CLINICAL TRIALS THAT ARE CAPABLE OF BEING  
24 APPROVED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION TO EVALUATE THE  
25 EFFECTS OF WHOLE MUSHROOM PSILOCYBIN.

26 2. A MANUFACTURER, DISTRIBUTOR, DISPENSER, IMPORTER OR EXPORTER  
27 BECOMES AVAILABLE WITHOUT VIOLATING THE CONTROLLED SUBSTANCES ACT (P.L.  
28 91-513; 84 STAT. 1242; 21 UNITED STATES CODE SECTIONS 801 THROUGH 904).

29 3. THE APPLICANT HAS RECEIVED TRAINING AS APPROVED BY THE BOARD  
30 PURSUANT TO SECTION 36-4205.

31 E. THE DEPARTMENT MAY REFUSE TO ISSUE A LICENSE TO AN APPLICANT OR  
32 RENEW THE LICENSE OF A LICENSEE IF THE DEPARTMENT FINDS THAT THE APPLICANT  
33 OR LICENSEE:

34 1. HAS NOT COMPLETED THE TRAINING REQUIRED UNDER THIS ARTICLE OR  
35 RULES ADOPTED PURSUANT TO THIS ARTICLE.

36 2. HAS MADE FALSE STATEMENTS TO THE DEPARTMENT.

37 3. HAS BEEN CONVICTED OF VIOLATING A FEDERAL LAW, STATE LAW OR  
38 LOCAL ORDINANCE IF THE CONVICTION IS SUBSTANTIALLY RELATED TO THE FITNESS  
39 AND ABILITY OF THE APPLICANT TO LAWFULLY CARRY OUT ACTIVITIES UNDER THE  
40 LICENSE.

41 4. DOES NOT HAVE A GOOD RECORD OF COMPLIANCE WITH THIS ARTICLE OR  
42 RULES ADOPTED PURSUANT TO THIS ARTICLE.

43 5. IS NOT THE LEGITIMATE OWNER OF THE PREMISES PROPOSED TO BE  
44 LICENSED OR HAS NOT DISCLOSED THAT OTHER PERSONS HAVE OWNERSHIP INTERESTS  
45 IN THE PREMISES PROPOSED TO BE LICENSED.





1           36-4211. Psilocybin product consumption; restrictions

2           A. A PATIENT MAY CONSUME A PSILOCYBIN PRODUCT ONLY AT A LICENSED  
3 PSYCHEDELIC-ASSISTED THERAPY CENTER AND ONLY UNDER THE SUPERVISION OF A  
4 STAFF MEMBER AND THE INDIRECT SUPERVISION OF THE MEDICAL DIRECTOR.

5           B. AN EMPLOYEE OF A LICENSED PSYCHEDELIC-ASSISTED THERAPY CENTER  
6 MAY NOT CONSUME PSILOCYBIN PRODUCTS DURING THE ADMINISTRATION, INTEGRATION  
7 OR PREPARATION SESSION THAT THE EMPLOYEE IS SUPERVISING.

8           36-4212. Employees; minimum age requirement

9           A. A LICENSEE MAY NOT EMPLOY A PERSON WHO IS UNDER TWENTY-ONE YEARS  
10 OF AGE AT THE PREMISES FOR WHICH A PSYCHEDELIC-ASSISTED THERAPY CENTER  
11 LICENSE HAS BEEN ISSUED UNDER THIS ARTICLE.

12           B. DURING AN INSPECTION OF THE PREMISES FOR WHICH A  
13 PSYCHEDELIC-ASSISTED THERAPY CENTER LICENSE HAS BEEN ISSUED, THE  
14 DEPARTMENT MAY REQUIRE PROOF THAT A PERSON PERFORMING WORK AT THE PREMISES  
15 IS AT LEAST TWENTY-ONE YEARS OF AGE. IF THE PERSON DOES NOT PROVIDE THE  
16 DEPARTMENT WITH ACCEPTABLE PROOF OF AGE ON REQUEST, THE DEPARTMENT MAY  
17 REQUIRE THE PERSON TO IMMEDIATELY CEASE ANY ACTIVITY AND LEAVE THE  
18 PREMISES UNTIL THE DEPARTMENT RECEIVES ACCEPTABLE PROOF OF AGE. THIS  
19 SUBSECTION DOES NOT APPLY TO A PERSON WHO IS TEMPORARILY AT THE PREMISES  
20 TO MAKE A SERVICE, MAINTENANCE OR REPAIR CALL OR FOR OTHER PURPOSES  
21 INDEPENDENT OF THE PREMISES OPERATIONS.

22           C. IF A PERSON PERFORMING WORK HAS NOT PROVIDED PROOF OF AGE  
23 REQUESTED BY THE DEPARTMENT UNDER SUBSECTION B OF THIS SECTION, THE  
24 DEPARTMENT MAY REQUEST THAT THE LICENSEE PROVIDE PROOF THAT THE PERSON IS  
25 AT LEAST TWENTY-ONE YEARS OF AGE. A LICENSEE'S FAILURE TO RESPOND TO A  
26 REQUEST MADE UNDER THIS SUBSECTION BY PROVIDING ACCEPTABLE PROOF OF AGE  
27 FOR A PERSON IS PRIMA FACIE EVIDENCE THAT THE LICENSEE HAS ALLOWED THE  
28 PERSON TO PERFORM WORK AT THE PREMISES FOR WHICH A LICENSE HAS BEEN ISSUED  
29 IN VIOLATION OF THE MINIMUM AGE REQUIREMENT.

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

32           41-619.51. Definitions

33           In this article, unless the context otherwise requires:

34           1. "Agency" means the supreme court, the department of economic  
35 security, the department of child safety, the department of education, the  
36 department of health services, the department of juvenile corrections, the  
37 department of emergency and military affairs, the department of public  
38 safety, the department of transportation, the state real estate  
39 department, the department of insurance and financial institutions, the  
40 Arizona game and fish department, the Arizona department of agriculture,  
41 the board of examiners of nursing care institution administrators and  
42 assisted living facility managers, the state board of dental examiners,  
43 the Arizona state board of pharmacy, the board of physical therapy, the  
44 state board of psychologist examiners, the board of athletic training, the  
45 board of occupational therapy examiners, the state board of podiatry

1 examiners, the acupuncture board of examiners, the state board of  
2 technical registration, ~~or~~ the board of massage therapy or the Arizona  
3 department of housing.

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

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

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

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

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

- 18 (a) Section 3-314.
- 19 (b) Section 8-105.
- 20 (c) Section 8-322.
- 21 (d) Section 8-463.
- 22 (e) Section 8-509.
- 23 (f) Section 8-802.
- 24 (g) Section 8-804.
- 25 (h) Section 15-183.
- 26 (i) Section 15-503.
- 27 (j) Section 15-512.
- 28 (k) Section 15-534.
- 29 (l) Section 15-763.01.
- 30 (m) Section 15-782.02.
- 31 (n) Section 15-1330.
- 32 (o) Section 15-1881.
- 33 (p) Section 17-215.
- 34 (q) Section 28-3228.
- 35 (r) Section 28-3413.
- 36 (s) Section 32-122.02.
- 37 (t) Section 32-122.05.
- 38 (u) Section 32-122.06.
- 39 (v) Section 32-823.
- 40 (w) Section 32-1232.
- 41 (x) Section 32-1276.01.
- 42 (y) Section 32-1284.
- 43 (z) Section 32-1297.01.
- 44 (aa) Section 32-1904.
- 45 (bb) Section 32-1941.

- 1 (cc) Section 32-1982.
- 2 (dd) Section 32-2022.
- 3 (ee) Section 32-2063.
- 4 (ff) Section 32-2108.01.
- 5 (gg) Section 32-2123.
- 6 (hh) Section 32-2371.
- 7 (ii) Section 32-3430.
- 8 (jj) Section 32-3620.
- 9 (kk) Section 32-3668.
- 10 (ll) Section 32-3669.
- 11 (mm) Section 32-3922.
- 12 (nn) Section 32-3924.
- 13 (oo) Section 32-4222.
- 14 (pp) Section 32-4128.
- 15 (qq) Section 36-113.
- 16 (rr) Section 36-207.
- 17 (ss) Section 36-411.
- 18 (tt) Section 36-425.03.
- 19 (uu) Section 36-446.04.
- 20 (vv) Section 36-594.01.
- 21 (ww) Section 36-594.02.
- 22 (xx) Section 36-766.01.
- 23 (yy) Section 36-882.
- 24 (zz) Section 36-883.02.
- 25 (aaa) Section 36-897.01.
- 26 (bbb) Section 36-897.03.
- 27 (ccc) Section 36-3008.
- 28 (ddd) SECTION 36-4207.
- 29 (eee) SECTION 36-4209.
- 30 ~~(ddd)~~ (fff) Section 41-619.53.
- 31 ~~(eee)~~ (ggg) Section 41-1964.
- 32 ~~(fff)~~ (hhh) Section 41-1967.01.
- 33 ~~(ggg)~~ (iii) Section 41-1968.
- 34 ~~(hhh)~~ (jjj) Section 41-1969.
- 35 ~~(iii)~~ (kkk) Section 41-2814.
- 36 ~~(jjj)~~ (lll) Section 41-4025.
- 37 ~~(kkk)~~ (mmm) Section 46-141, subsection A or B.
- 38 ~~(lll)~~ (nnn) Section 46-321.

39 Sec. 3. Section 41-1758, Arizona Revised Statutes, is amended to  
40 read:

41 41-1758. Definitions

42 In this article, unless the context otherwise requires:

43 1. "Agency" means the supreme court, the department of economic  
44 security, the department of child safety, the department of education, the  
45 department of health services, the department of juvenile corrections, the

1 department of emergency and military affairs, the department of public  
2 safety, the department of transportation, the state real estate  
3 department, the department of insurance and financial institutions, the  
4 board of fingerprinting, the Arizona game and fish department, the Arizona  
5 department of agriculture, the board of examiners of nursing care  
6 institution administrators and assisted living facility managers, the  
7 state board of dental examiners, the Arizona state board of pharmacy, the  
8 board of physical therapy, the state board of psychologist examiners, the  
9 board of athletic training, the board of occupational therapy examiners,  
10 the state board of podiatry examiners, the acupuncture board of examiners,  
11 the state board of technical registration, ~~or~~ the board of massage therapy  
12 or the Arizona department of housing.

13 2. "Division" means the fingerprinting division in the department  
14 of public safety.

15 3. "Electronic or internet-based fingerprinting services" means a  
16 secure system for digitizing applicant fingerprints and transmitting the  
17 applicant data and fingerprints of a person or entity submitting  
18 fingerprints to the department of public safety for any authorized purpose  
19 under this title. For the purposes of this paragraph, "secure system"  
20 means a system that complies with the information technology security  
21 policy approved by the department of public safety.

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

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

- 26 (a) Section 3-314.
- 27 (b) Section 8-105.
- 28 (c) Section 8-322.
- 29 (d) Section 8-463.
- 30 (e) Section 8-509.
- 31 (f) Section 8-802.
- 32 (g) Section 15-183.
- 33 (h) Section 15-503.
- 34 (i) Section 15-512.
- 35 (j) Section 15-534.
- 36 (k) Section 15-763.01.
- 37 (l) Section 15-782.02.
- 38 (m) Section 15-1330.
- 39 (n) Section 15-1881.
- 40 (o) Section 17-215.
- 41 (p) Section 28-3228.
- 42 (q) Section 28-3413.
- 43 (r) Section 32-122.02.
- 44 (s) Section 32-122.05.
- 45 (t) Section 32-122.06.

- 1 (u) Section 32-823.
- 2 (v) Section 32-1232.
- 3 (w) Section 32-1276.01.
- 4 (x) Section 32-1284.
- 5 (y) Section 32-1297.01.
- 6 (z) Section 32-1904.
- 7 (aa) Section 32-1941.
- 8 (bb) Section 32-1982.
- 9 (cc) Section 32-2022.
- 10 (dd) Section 32-2063.
- 11 (ee) Section 32-2108.01.
- 12 (ff) Section 32-2123.
- 13 (gg) Section 32-2371.
- 14 (hh) Section 32-3430.
- 15 (ii) Section 32-3620.
- 16 (jj) Section 32-3668.
- 17 (kk) Section 32-3669.
- 18 (ll) Section 32-3922.
- 19 (mm) Section 32-3924.
- 20 (nn) Section 32-4128.
- 21 (oo) Section 32-4222.
- 22 (pp) Section 36-113.
- 23 (qq) Section 36-207.
- 24 (rr) Section 36-411.
- 25 (ss) Section 36-425.03.
- 26 (tt) Section 36-446.04.
- 27 (uu) Section 36-594.01.
- 28 (vv) Section 36-594.02.
- 29 (ww) Section 36-766.01.
- 30 (xx) Section 36-882.
- 31 (yy) Section 36-883.02.
- 32 (zz) Section 36-897.01.
- 33 (aaa) Section 36-897.03.
- 34 (bbb) Section 36-3008.
- 35 (ccc) SECTION 36-4207.
- 36 (ddd) SECTION 36-4209.
- 37 ~~(ccc)~~ (eee) Section 41-619.52.
- 38 ~~(ddd)~~ (fff) Section 41-619.53.
- 39 ~~(eee)~~ (ggg) Section 41-1964.
- 40 ~~(fff)~~ (hhh) Section 41-1967.01.
- 41 ~~(ggg)~~ (iii) Section 41-1968.
- 42 ~~(hhh)~~ (jjj) Section 41-1969.
- 43 ~~(iii)~~ (kkk) Section 41-2814.
- 44 ~~(jjj)~~ (lll) Section 41-4025.
- 45 ~~(kkk)~~ (mmm) Section 46-141, subsection A or B.

1           ~~(111)~~ (nnn) Section 46-321.

2           6. "Vulnerable adult" has the same meaning prescribed in section  
3 13-3623.

4           Sec. 4. Section 41-1758.01, Arizona Revised Statutes, is amended to  
5 read:

6           41-1758.01. Fingerprinting division; powers and duties

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

9           1. Conduct fingerprint background checks for persons and applicants  
10 who are seeking licenses from state agencies, employment with licensees,  
11 contract providers and state agencies or employment or educational  
12 opportunities with agencies that require fingerprint background checks  
13 pursuant to sections 3-314, 8-105, 8-322, 8-463, 8-509, 8-802, 15-183,  
14 15-503, 15-512, 15-534, 15-763.01, 15-782.02, 15-1330, 15-1881, 17-215,  
15 28-3228, 28-3413, 32-122.02, 32-122.05, 32-122.06, 32-823, 32-1232,  
16 32-1276.01, 32-1284, 32-1297.01, 32-1904, 32-1941, 32-1982, 32-2022,  
17 32-2063, 32-2108.01, 32-2123, 32-2371, 32-3430, 32-3620, 32-3668, 32-3669,  
18 32-3922, 32-3924, 32-4128, 32-4222, 36-113, 36-207, 36-411, 36-425.03,  
19 36-446.04, 36-594.01, 36-594.02, 36-766.01, 36-882, 36-883.02, 36-897.01,  
20 36-897.03, 36-3008, 36-4207, 36-4209, 41-619.52, 41-619.53, 41-1964,  
21 41-1967.01, 41-1968, 41-1969, 41-2814, ~~AND~~ AND 41-4025, section 46-141,  
22 subsection A or B and section 46-321.

23           2. Issue fingerprint clearance cards. On issuance, a fingerprint  
24 clearance card becomes the personal property of the cardholder and the  
25 cardholder shall retain possession of the fingerprint clearance card.

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

30           4. Inform in writing each person who submits fingerprints for a  
31 fingerprint background check of the right to petition the board of  
32 fingerprinting for a good cause exception pursuant to section 41-1758.03,  
33 41-1758.04 or 41-1758.07.

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

41           6. Notify the person in writing if the division suspends, revokes  
42 or places a driving restriction notation on a fingerprint clearance card  
43 pursuant to section 41-1758.04. The notice shall include the criminal  
44 history information on which the suspension, revocation or placement of  
45 the driving restriction notation was based. This criminal history

1 information is subject to dissemination restrictions pursuant to section  
2 41-1750 and Public Law 92-544.

3 7. Administer and enforce this article.

4 B. The fingerprinting division may contract for electronic or  
5 internet-based fingerprinting services through an entity or entities for  
6 the acquisition and transmission of applicant fingerprint and data  
7 submissions to the department, including identity verified fingerprints  
8 pursuant to section 15-106. The entity or entities contracted by the  
9 department of public safety may charge the applicant a fee for services  
10 provided pursuant to this article. The entity or entities contracted by  
11 the department of public safety shall comply with:

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

14 2. The information technology security policy approved by the  
15 department of public safety.

16 Sec. 5. Severability

17 If a provision of this act or its application to any person or  
18 circumstance is held invalid, the invalidity does not affect other  
19 provisions or applications of the act that can be given effect without the  
20 invalid provision or application, and to this end the provisions of this  
21 act are severable.