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Arizona Administrative REGISTER

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Volume 31, Issue 28 **~ Administrative Register Contents ~** **July 11, 2025**

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From the Publisher

ABOUT THIS PUBLICATION

The authenticated pdf of the *Administrative Register* (A.A.R.) posted on the Arizona Secretary of State's website is the official published version for rulemaking activity in the state of Arizona.

Rulemaking is defined in Arizona Revised Statutes known as the Arizona Administrative Procedure Act (APA), A.R.S. Title 41, Chapter 6, Articles 1 through 10.

The *Register* is cited by volume and page number. Volumes are published by calendar year with issues published weekly. Page numbering continues in each weekly issue.

In addition, the *Register* contains notices of rules terminated by the agency and rules that have expired.

ABOUT RULES

Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number). Rulemaking activity published in the *Register* includes: proposed, final, emergency, expedited, and exempt rules as defined in the APA, and other state statutes.

New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.

WHERE IS A "CLEAN" COPY OF THE FINAL OR EXEMPT RULE PUBLISHED IN THE *REGISTER*?

The *Arizona Administrative Code* (A.A.C) contains the codified text of rules. The A.A.C. contains rules promulgated and filed by state agencies that have been approved by the Attorney General or the Governor's Regulatory Review Council. The *Code* also contains rules exempt from the rulemaking process.

The authenticated pdf of *Code* Chapters posted on the Arizona Secretary of State's website are the official published version of rules in the A.A.C. The *Code* is posted online for free.

LEGAL CITATIONS AND FILING NUMBERS

On the cover: Each agency is assigned a Chapter in the *Arizona Administrative Code* under a specific Title. Titles represent broad subject areas. The Title number is listed first; with the acronym A.A.C., which stands for the *Arizona Administrative Code*; following the Chapter number and Agency name, then program name. For example, the Secretary of State has rules on rulemaking in Title 1, Chapter 1 of the *Arizona Administrative Code*. The citation for this Chapter is 1 A.A.C. 1, Secretary of State, Rules and Rulemaking. Every document filed in the office is assigned a file number. This number, enclosed in brackets, is located at the top right of the published documents in the *Register*. The original filed document is available for 10 cents a page.

Arizona Administrative REGISTER

July 11, 2025
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Rhonda Paschal

ADMINISTRATIVE REGISTER
This publication is available online for free at www.azsos.gov.

ADMINISTRATIVE CODE
The *Arizona Administrative Code* is available online at www.azsos.gov.

PUBLICATION DEADLINES
Publication dates are published in the back of the *Register.* These dates include file submittal dates with a three-week turnaround from filing to published document.

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The Office of the Secretary of State is an equal opportunity employer.

Participate in the Process

Look for the Agency Notice

Review (inspect) notices published in the *Arizona Administrative Register.* Many agencies maintain stakeholder lists and would be glad to inform you when they proposed changes to rules. Check an agency's website and its newsletters for news about notices and meetings.

Feel like a change should be made to a rule and an agency has not proposed changes? You can petition an agency to make, amend, or repeal a rule. The agency must respond to the petition. (See A.R.S. § 41-1033)

Attend a public hearing/meeting

Attend a public meeting that is being conducted by the agency on a Notice of Proposed Rulemaking. Public meetings may be listed in the Preamble of a Notice of Proposed Rulemaking or they may be published separately in the *Register*. Be prepared to speak, attend the meeting, and make an oral comment.

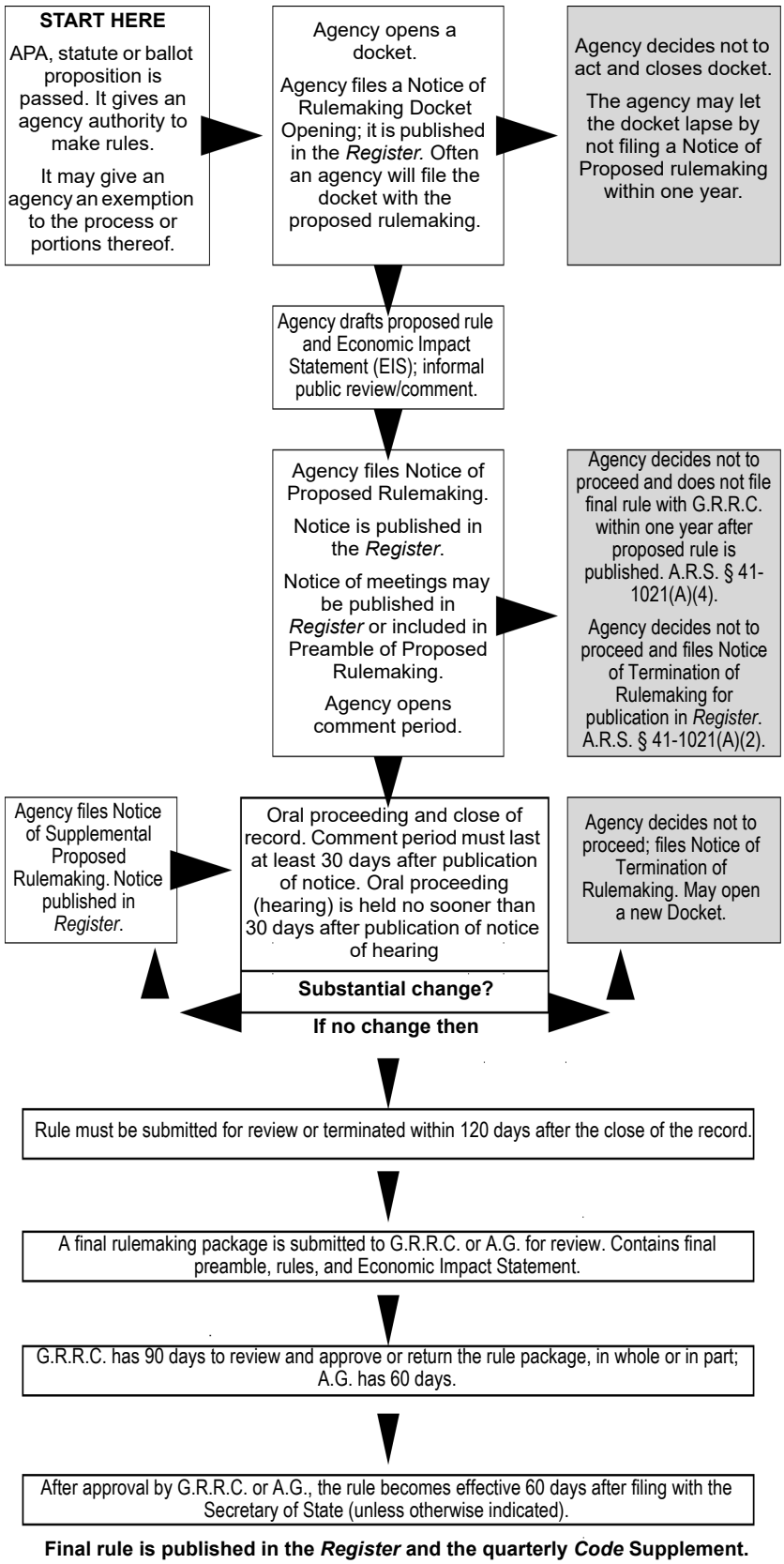
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

Write the agency

Put your comments in writing to the agency. In order for the agency to consider your comments, the agency must receive them by the close of record. The comment must be received within the 30-day comment timeframe following the *Register* publication of the Notice of Proposed Rulemaking.

You can also submit to the Governor's Regulatory Review Council written comments that are relevant to the Council's power to review a given rule (A.R.S. § 41-1052). The Council reviews the rule at the end of the rulemaking process and before the rules are filed with the Secretary of State.

Arizona Regular Rulemaking Process



Definitions

***Arizona Administrative Code* (A.A.C.):** Official rules codified and published by the Secretary of State's Office. Available online at www.azsos.gov.

***Arizona Administrative Register* (A.A.R.):** The official publication that includes filed documents pertaining to Arizona rulemaking. Available online at www.azsos.gov.

Administrative Procedure Act (APA): A.R.S. Title 41, Chapter 6, Articles 1 through 10. Available online at www.azleg.gov.

Arizona Revised Statutes (A.R.S.): The statutes are made by the Arizona State Legislature during a legislative session. They are complied by Legislative Council, with the official publication codified by Thomson West. Citations to statutes include Titles which represent broad subject areas. The Title number is followed by the Section number. For example, A.R.S. § 41-1001 is the definitions Section of Title 41 of the Arizona Administrative Procedures Act. The "§" symbol simply means "section." Available online at www.azleg.gov.

Chapter: A division in the codification of the *Code* designating a state agency or, for a large agency, a major program.

Close of Record: The close of the public record for a proposed rulemaking is the date an agency chooses as the last date it will accept public comments, either written or oral.

Code of Federal Regulations (CFR): The *Code of Federal Regulations* is a codification of the general and permanent rules published in the *Federal Register* by the executive departments and agencies of the federal government.

Docket: A public file for each rulemaking containing materials related to the proceedings of that rulemaking. The docket file is established and maintained by an agency from the time it begins to consider making a rule until the rulemaking is finished. The agency provides public notice of the docket by filing a Notice of Rulemaking Docket Opening with the Office for publication in the *Register*.

Economic, Small Business, and Consumer Impact Statement (EIS): The EIS identifies the impact of the rule on private and public employment, on small businesses, and on consumers. It includes an analysis of the probable costs and benefits of the rule. An agency includes a brief summary of the EIS in its preamble. The EIS is not published in the *Register* but is available from the agency promulgating the rule. The EIS is also filed with the rulemaking package.

Governor's Regulatory Review (G.R.R.C.): Reviews and approves rules to ensure that they are necessary and to avoid unnecessary duplication and adverse impact on the public. G.R.R.C. also assesses whether the rules are clear, concise, understandable, legal, consistent with legislative intent, and whether the benefits of a rule outweigh the cost.

Incorporated by Reference: An agency may incorporate by reference standards or other publications. These standards are available from the state agency with references on where to order the standard or review it online.

Federal Register (FR): The *Federal Register* is a legal newspaper published every business day by the National Archives and Records Administration (NARA). It contains federal agency regulations; proposed rules and notices; and executive orders, proclamations, and other presidential documents.

Session Laws or "Laws": When an agency references a law that has not yet been codified into the Arizona Revised Statutes, use the word "Laws" is followed by the year the law was passed by the Legislature, followed by the Chapter number using the abbreviation "Ch.", and the specific Section number using the Section symbol (§). For example, Laws 1995, Ch. 6, § 2. Session laws are available at www.azleg.gov.

United States Code (U.S.C.): The Code is a consolidation and codification by subject matter of the general and permanent laws of the United States. The Code does not include regulations issued by executive branch agencies, decisions of the federal courts, treaties, or laws enacted by state or local governments.

Acronyms

A.A.C. – *Arizona Administrative Code*

A.A.R. – *Arizona Administrative Register*

APA – Administrative Procedure Act

A.R.S. – Arizona Revised Statutes

CFR – *Code of Federal Regulations*

EIS – Economic, Small Business, and Consumer Impact Statement

FR – *Federal Register*

G.R.R.C. – Governor's Regulatory Review Council

U.S.C. – *United States Code*

About Preambles

The Preamble is the part of a rulemaking package that contains information about the rulemaking and provides agency justification and regulatory intent.

It includes reference to the specific statutes authorizing the agency to make the rule, an explanation of the rule, reasons for proposing the rule, and the preliminary Economic Impact Statement.

The information in the Preamble differs between rulemaking notices used and the stage of the rulemaking.

NOTICES OF PROPOSED RULEMAKING

This section of the *Arizona Administrative Register* contains Notices of Proposed Rulemaking.

A proposed rulemaking is filed by an agency upon completion and submittal of a Notice of Rulemaking Docket Opening. Often these two documents are filed at the same time and published in the same *Register* issue.

When an agency files a Notice of Proposed Rulemaking under the Administrative Procedure Act (APA), the notice is published in the *Register* within three weeks of filing. See the publication schedule in the back of each issue of the *Register* for more information.

Under the APA, an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for making, amending, or repealing any rule (A.R.S. §§ 41-1013 and 41-1022).

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the proposed rules should be addressed to the agency that promulgated the rules. Refer to item #4 below to contact the person charged with the rulemaking and item #10 for the close of record and information related to public hearings and oral comments.

NOTICE OF PROPOSED RULEMAKING

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

[R25-147]

PREAMBLE

1. Permission to proceed with this proposed rulemaking was granted under A.R.S. § 41-1039 by the governor on:
January 29, 2025

2. Article, Part, or Section Affected (as applicable) **Rulemaking Action**
R12-4-114 Amend

3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):
Authorizing statute: A.R.S. § 17-231
Implementing statute: A.R.S. §§ 17-102, 17-231(A)(2), 17-231(A)(3), 17-331(A), 17-332(A), and 17-371

4. Citations to all related notices published in the *Register* that pertain to the current record of the proposed rule:
Notice of Rulemaking Docket Opening: 31 A.A.R. 2337, July 11, 2025 (*in this issue*); File Number: R25-156

5. The agency's contact person who can answer questions about the rulemaking:

Name:	Christopher Dean, BASF Range Manager
Address:	Arizona Game and Fish Department, BASF 5000 W. Carefree Highway Phoenix, AZ 85086
Telephone:	(623) 236-7072
Email:	CDean@azgfd.gov
Website:	azgfd.gov

Please visit the AZGFD website to track the progress of this rule; view the regulatory agenda, five-year review reports, and learn about other agency rulemaking matters.

6. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:
R12-4-114 Issuance of Nonpermit-tags and Hunt Permit-tags: The objective of the rule is to prescribe the hunt permit-tag structure, conditions under which the Commission may issue tags, application procedures, and distribution and use of hunt permit- and nonpermit-tags. The rule was adopted to provide the regulated community with the information necessary to apply for a hunt permit-tag, nonpermit-tag, and describes the computer draw process. Currently, subsection (E) identifies a 10% nonresident cap for the following species: antlered deer, pronghorn, bull elk, turkey, bighorn sheep, bison, and sandhill crane. The rule leaves out the following species: antlerless deer, any deer, antlerless elk, any elk, and javelina. The Commission proposes to amend R12-4-114 to establish a 10% limitation on all big game permits issued by way of a computer draw. It appears that recently, hunts lacking the nonresident cap are becoming more popular among nonresidents and are well exceeding the 10% cap. For the Department's most recent computer draws, the 2023 Fall, 2023 Pronghorn/Elk, and 2024 Spring, of the nonresident allocation for hunts that do not have a nonresident cap there were 37 elk hunts and 41 javelina hunts that exceeded the standard 10% nonresident allocation. Of those, 36 elk hunts and 15 javelina hunts had either of the following: 1) resident applicants exceeded the permits available for the hunt or 2) there were no unissued permits left after all 3 passes of the draw. The criteria indicates that those hunts likely would have offered additional opportunity to resident applicants if there was a 10% nonresident cap in place.

7. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

Not applicable

8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

9. The preliminary summary of the economic, small business, and consumer impact:

The rulemaking proposes to ensure compliance with the 10% limitation established under A.R.S. § 17-332 as they apply to big game permits issued by way of a computer draw.

The Commission anticipates the rulemaking will most significantly affect persons regulated by the rule, both resident and nonresident, and the Department.

The Commission anticipates specifically limiting the number of big game tags made available to nonresidents will have a nonquantifiable impact on hunter satisfaction, both resident and nonresident. Resident hunters will appreciate the additional opportunities made available to them and nonresident hunters will be dissatisfied with the limited number of nonresident big game tags.

The Commission anticipates the rulemaking will impact the Department because this change will reduce the number of nonresident permit-tags issued through the computer draw, and therefore reduce revenue generated from the sale of those permits. However, because nonresidents are still required to purchase a license in order to apply for the computer draw, the loss of revenue would be limited to the sale of the additional nonresident permit-tags.

The Commission anticipates the rulemaking will not impose increased monetary or regulatory costs on other state agencies and political subdivisions of this State.

The Commission anticipates the rulemaking may impact individuals and businesses, both large and small; however, the Commission has determined that the impact will not be significant enough to negatively impact business revenues or payroll expenditures.

The Commission anticipates the rulemaking will not significantly affect a person's ability to practice an activity, including guiding hunters, or have a significant impact on a person's income, revenue, or employment in this state related to that activity. Because the Department does not track the number of guides who provide guide services or the number of nonresidents they may provide these services to, it is not possible to quantify the impact.

The Commission anticipates the rulemaking will not impact public or private employment.

The Commission anticipates the rulemaking will have an insignificant impact on State revenues and the general fund due to fewer nonresidents traveling to Arizona to hunt. However, this amount is not quantifiable because of the variables: how long is the nonresident staying in Arizona, how did they travel, are they staying in a camper or purchasing lodging, etc.

The Commission has determined that there are no alternative methods of achieving the objectives of the rulemaking and that the benefits of the rulemaking outweigh the costs.

10. The agency's contact person who can answer questions about the economic, small business and consumer impact statement:

Name: Christopher Dean, BASF Range Manager

Address: Arizona Game and Fish Department, BASF
5000 W. Carefree Highway
Phoenix, AZ 85086

Telephone: (623) 236-7072

Email: CDean@azgfd.gov

Website: azgfd.gov

Please visit the AZGFD website to track the progress of this rule; view the regulatory agenda, five-year review reports, and learn about other agency rulemaking matters.

11. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

An oral proceeding is scheduled on this proposed rulemaking.

Date: September 5, 2025

Time: 8:00 a.m.

Location: Eagar Town Hall
22 W. Second Ave.
Eagar, AZ 85925

Nature: Commission Meeting

Public comment period ends: August 10, 2025

Close of record: September 5, 2025

12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The rule included in this notice does not require the issuance of a regulatory permit, license, or agency authorization.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

The rule included in this notice is based on state law and federal law is not directly applicable to the rules.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

Not Applicable

13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

Not Applicable

14. The full text of the rules follows:

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

Section
R12-4-114. Issuance of Nonpermit-tags and Hunt Permit-tags

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

R12-4-114. Issuance of Nonpermit-tags and Hunt Permit-tags

A. The Department provides numbered tags for sale to the public. The Department shall ensure each tag:
1. Includes a transportation and shipping permit as prescribed under A.R.S. §§ 17-332 and 17-371, and
2. Clearly identifies the wildlife for which the tag is valid.

B. If the Commission establishes a big game season for which a hunt number is not assigned, the Department or its authorized agent, or both, shall sell nonpermit-tags.
1. A person purchasing a nonpermit-tag shall provide all of the following information to a Department office or license dealer at the time of purchase; the applicant's:
   a. Name,
   b. Mailing address, and
   c. Department identification number.
2. An applicant shall not obtain nonpermit-tags in excess of the bag limit established by Commission Order when it established the season for which the nonpermit-tags are valid.

C. If the number of hunt permits for a species in a particular hunt area must be limited, a Commission Order establishes a hunt number for that hunt area and a hunt permit-tag is required to take the species in that hunt area.
1. A person applying for a hunt permit-tag shall submit an application as described under R12-4-104.
2. The Department shall determine whether a hunt permit-tag will be issued to an applicant as follows:
   a. The Department shall reserve a maximum of 20% of the hunt permit-tags for each hunt number, except as established under subsection (C)(2)(b), for bear, deer, elk, javelina, pronghorn, Sandhill crane, and turkey and reserve a maximum of 20% of the hunt permit-tags for all hunt numbers combined statewide for bighorn sheep and bison to issue to persons who have bonus points and shall issue the hunt permit-tags as established under subsection (C)(2)(c).
   b. For bear, deer, elk, javelina, pronghorn, Sandhill crane, and turkey, the Department shall reserve one hunt permit-tag for any hunt number with fewer than five, but more than one, hunt permit-tags and shall issue the tag as established under subsection (C)(2)(c). When this occurs, the Department shall adjust the number of available hunt permit-tags in order to ensure the total number of hunt permit-tags available does not exceed the 20% maximum specified in subsection (C)(2)(a).
   c. The Department shall issue the reserved hunt permit-tags for hunt numbers that eligible applicants designate as their first or second choices. The Department shall issue the reserved hunt permit-tags by random selection:
      i. First, to eligible applicants with the highest number of bonus points for that genus;
      ii. Next, if there are reserved hunt permit-tags remaining, to eligible applicants with the next highest number of bonus points for that genus; and
      iii. If there are still tags remaining, to the next eligible applicants with the next highest number of bonus points; continuing in the same manner until all of the reserved tags have been issued or until there are no more applicants for that hunt number who have bonus points.
   d. The Department shall ensure that all unreserved hunt permit-tags are issued by random selection:
      i. First, to hunt numbers designated by eligible applicants as their first or second choices; and
      ii. Next, to hunt numbers designated by eligible applicants as their third, fourth, or fifth choices.
   e. Before each of the three passes listed under (C)(2)(c)(i), (ii), and (iii), each application is processed through the Department's random number generator program. A random number is assigned to each application; an additional random number is assigned to each application for each group bonus point, including the Education and Loyalty bonus points. Only the

lowest random number generated for an application is used in the computer draw process. A new random number is generated for each application for each pass of the computer draw.

f. If the bag limit is more than one per calendar year, or if there are unissued hunt permit-tags remaining after the random computer draw, the Department shall ensure these hunt permit-tags are available on a first-come, first-served basis as specified in the annual hunt permit-tag application schedule.

D. A person may purchase hunt permit-tags equal to the bag limit for a genus.
1. A person shall not exceed the established bag limit for that genus.
2. A person shall not apply for any additional hunt-permit-tags if the person has reached the bag limit for that genus during the same calendar year.
3. A person who surrenders a tag in compliance with R12-4-118 is eligible to apply for another hunt permit-tag for the same genus during the same calendar year, provided the person has not reached the bag limit for that genus.

E. The Department shall make available to nonresidents:
1. For bighorn sheep and bison, no more than one hunt permit-tag or 10% of the total hunt permit-tags, whichever is greater, for bighorn sheep or bison in any computer draw. The Department shall not make available more than 50% nor more than two bighorn sheep or bison hunt permit-tags of the total in any hunt number.
2. For ~~antlered~~ deer, ~~bull~~ elk, javelina, pronghorn, Sandhill crane, or turkey, no more than 10%, rounded down to the next lowest number, of the total hunt permit-tags in any hunt number. If a hunt number for ~~antlered~~ deer, ~~bull~~ elk, javelina, pronghorn, Sandhill crane, or turkey has 10 or fewer hunt permit-tags, no more than one hunt permit-tag will be made available unless the hunt number has only one hunt permit-tag, then that tag shall only be available to a resident.

F. The Commission may, at a public meeting, increase the number of hunt permit-tags issued to nonresidents in a computer draw when necessary to meet management objectives.

G. The Department shall not issue under subsection (C)(2)(c), more than half of the hunt permit-tags made available to nonresidents under subsection (E).

H. A nonresident cap established under this Section applies only to hunt permit-tags issued by computer draw under subsections (C)(2)(c) and (d).

NOTICE OF PROPOSED RULEMAKING

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

[R25-148]

PREAMBLE

1. Permission to proceed with this proposed rulemaking was granted under A.R.S. § 41-1039 by the governor on:
May 9, 2024

2. Article, Part, or Section Affected (as applicable)	**Rulemaking Action**
R12-4-201	Amend
R12-4-202	Amend
R12-4-203	Amend
R12-4-204	Amend
R12-4-205	Amend
R12-4-206	Amend
R12-4-207	Amend
R12-4-208	Amend
R12-4-210	Amend
R12-4-211	Amend
R12-4-213	Amend
R12-4-215	Amend
R12-4-216	Amend
R12-4-217	Amend

3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):
Authorizing statute: A.R.S. §§ 17-231
Implementing statute: A.R.S. §§ 17-101, 17-102, 17-231(A)(2), 17-231(A)(3), 17-231(B)(7), 17-245, 17-301(B), 17-301(D)(2), 17-332, 17-333, 17-335, 17-335.01, 17-340, 17-362, and 41-1005

4. Citations to all related notices published in the *Register* that pertain to the current record of the proposed rule:
Notice of Rulemaking Docket Opening: 31 A.A.R. 2338, July 11, 2025 (*in this issue*); File Number: R25-157

5. The agency's contact person who can answer questions about the rulemaking:

Name:	Larisa Harding
Title:	Small Game Program Manager
Division:	Wildlife Management Division
Address:	5000 W. Carefree Hwy Phoenix, AZ 85086

Telephone: (623) 236-7503
Email: lharding@azgfd.gov
Website: azgfd.gov

Please visit the AZGFD website to track the progress of this rule; view the regulatory agenda, five-year review reports, and learn about other agency rulemaking matters.

6. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:

The Arizona Game and Fish Commission (Commission) proposes to amend its Article 2 rules, addressing licenses, permits, stamps, and tags to enact amendments developed during the preceding Five-year Review Report. The amendments proposed in the five-year review report are designed to clarify current rule language; facilitate job growth and economic development; enable the Department to provide better customer service; and reduce regulatory and administrative burdens wherever possible. After evaluating the scope and effectiveness of the proposed amendments specified in the review, the Commission proposes additional amendments to further implement the original proposals.

R12-4-201. Pioneer License: The objective of the rule is to establish application requirements and hunting and fishing privileges for the pioneer license. The Commission proposes to amend the rule to correct the reference to the governing statute, replacing 17-336(C)(1) with 17-333(C)(1) to make the rule more concise. The Commission also proposes to amend the rule to correct the references to "Department identification number" with "Customer identification number."

R12-4-202. Complimentary and Reduced-fee Disabled Veteran's License; Reduced-fee Purple Heart Medal License: The objective of the rule is to establish eligibility, application requirements, and hunting and fishing privileges for the complimentary licenses that are issued to disabled veterans and Purple Heart Medal recipients. The rule was adopted to comply with the statutory mandate under A.R.S. § 17-333(C)(2) and (3). The Department offers three types of veterans' licenses: a complimentary or reduced fee license available to veterans who are receiving compensation from the United States government for a service connected disability rated as 100% disabling, a 25% reduced fee license to a veteran who is receiving such compensation for a service connected disability of any rating, and a 50% reduced-fee license to a person who is a bona fide recipient of a Purple Heart Medal. Like the lifetime licenses issued under R12-4-211 (Lifetime License), the permanent (lifetime) Disabled Veteran's License is valid for the person's lifetime and continues to remain valid if the license holder moves out-of-state. The out-of-state license holder must pay the nonresident fee when purchasing any required hunt permit-tag, nonpermit-tag, or stamp to hunt and fish in Arizona, but the hunt-permit tag issuance limitations for nonresident permit holders do not apply to a Disabled Veteran's License holder. The Commission proposes to amend the rule to clarify the permanent disabled veteran's license will remain valid if the license holder moves out-of-state and is not subject to the limits placed on nonresident permit-tags. This amendment will also increase consistency between the permanent disabled veteran's license and other lifetime licenses issued by the Department. This change is in response to customer comment. The Commission also proposes to amend the rule to correct the references to "Department identification number" with "Customer identification number."

R12-4-203. National Harvest Information Program (HIP); State Waterfowl and Migratory Bird Stamp: The objective of the rule is to establish requirements for the application and use of the Arizona migratory bird stamp, which covers the take of waterfowl and migratory game birds. The Arizona stamp is separate from the Federal waterfowl stamp (also known as "Duck Stamp"), which is required when a person wants to hunt waterfowl in Arizona. The stamp enables the Department to obtain hunter participation and harvest data for migratory game birds in compliance with the requirements of the federally mandated National Harvest Information Program, which is administered by the United States Fish and Wildlife Service (USFWS). On December 19, 2023, President Biden signed into law the Duck Stamp Modernization Act of 2023. The Act modifies provisions regarding the Migratory Bird Hunting and Conservation Stamp to allow a person to carry an electronic stamp for the entire waterfowl hunting season; the USFWS Migratory Bird Program worked diligently to implement this Act for the 2024-2025 hunting season. The Commission proposes to amend the rule to reference the federal e-stamp. In addition, the USFWS is in the process of evaluating whether to amend federal migratory waterfowl hunting rules from which states may select season dates, limits, and other options for migratory bird hunting seasons. Over the past 20 years, waterfowl hunter numbers have declined significantly. Many factors are associated with this, including the harvest restrictions for certain species and sexes of ducks, which puts pressure on new or inexperienced hunters to be able to correctly identify waterfowl during their hunt. Because duck identification can be difficult, it is believed this could be preventing potential hunters from getting into the sport. To help address the issue, the USFWS recently approved a two-tier duck regulation experiment. Nebraska and South Dakota are piloting the new system and, if proven a success through waterfowl hunter numbers and duck populations, the program will be extended to additional states. In order to prepare for this potential opportunity in the near future, the Commission proposes to put language in rule that, once authorized, will require a waterfowl hunter to select which tier/bag limit to operate under for the entirety of the waterfowl season: 1) a traditional season with the current species and sex restrictions, and bag and possession limits; or 2) a reduced bag limit for ducks with no species or sex restrictions. Once an option is selected, the hunter must stay with that option for the duration of the duck season. There is no requirement to "move up" after a certain period; waterfowl hunters may select either the traditional or reduced bag option each year. The Commission also proposes to amend the rule to correct the references to "Department identification number" with "Customer identification number".

R12-4-204. Taxidermy Registration; Register: The objective of the rule is to establish registration requirements with the Department before engaging in the business of taxidermy for hire. The Commission proposes to amend the rule to correct the references to "Department identification number" with "Customer identification number."

R12-4-205. High Achievement Scout License: The objective of the rule is to establish application requirements and hunting and fishing privileges for the high achievement scout license. The combination hunting and fishing license is offered to a resident of this state who is a member of the Boy Scouts of America "Scouting America" program and who has attained the rank of Eagle Scout or a member of the "Girl Scouts of the U.S.A." who has received the Gold Award provided the scout is under 21 years of

age. The "Boy Scouts of America," a program where young men could earn an Eagle Scout has been rebranded to "Scouting America" which includes both male and female participants. In addition, the "Girls Scouts of the United States of America," a program where young women could earn a Gold Award has been rebranded to "Girl Scouts of the USA." The Commission proposes to amend the rule to reflect the organization's current programs. The Commission also proposes to amend the rule to correct the references to "Department identification number" with "Customer identification number".

R12-4-206. General Hunting License; Exemption: The objective of the rule is to establish application requirements and hunting privileges for the general hunting license. The Commission proposes to amend the rule to correct the references to "Department identification number" with "Customer identification number".

R12-4-207. General Fishing License; Exemption: The objective of the rule is to establish application requirements and hunting privileges for the general fishing license. The Commission proposes to amend the rule to correct the references to "Department identification number" with "Customer identification number".

R12-4-208. Guide License: The objective of the rule is to establish the application, reporting, and guiding requirements for those persons who provide commercial guiding services in Arizona. Under subsection (T), a licensed guide is required to report any violation of a federal or state wildlife regulation, law, or rule personally witnessed by the guide license holder. In addition, most guides use support personnel (who are not licensed guides) to assist the guide in locating an animal. The Department was recently involved with a lengthy criminal trial, civil lawsuit, and Office of Administrative Hearings (OAH) hearing with a licensed guide and a friend of the guide who operated a powered parachute plane. The guide accepted information through text and phone calls regarding wildlife locations, herd size, horn size of bighorn sheep, and various essential information from the friend who operated the powered parachute plane to locate wildlife during an open big game season in violation of R12-4-319. While the Department was successful in prosecuting the friend of the guide for locating wildlife during a big game season and the OAH hearing regarding the guide accepting this information in violation of R12-4-319(B) and failing to report this information to the Department in violation of R12-4-208(T)(2)(d), it was a difficult hearing. The argument used by the defense was that the guide did not "personally witness the violation." The Commission proposes to amend the rule to replace "Report any violation of a federal or state wildlife regulation, law, or rule personally witnessed by the guide license holder." with "Report any violation of a federal or state statute or regulation the guide license holder knew or should have known of that involves or relates to the take or possession of wildlife or involves or relates to another guide or guide license holder's legal obligations." The Commission proposes to amend the rule to add that "It is a violation for a licensed or unlicensed guide to employ, hire, direct, or authorize another person to provide guiding services for compensation, and the guide knew or should have known that person would likely commit a violation of A.R.S. Title 17 or Game and Fish Commission rules while the person is providing such guiding services on behalf of, or for the benefit of, the guide." "Knew or should have known" means actual knowledge, or that a reasonably observant person under the same or similar circumstances would have had knowledge, or a person had a duty to inquire or investigate the facts and circumstances that person would commit a violation. In addition, a guide whose hunting and fishing privileges are revoked is prohibited from obtaining a guide license while under revocation. A guide whose license is revoked is also unable to assist a person in locating or taking wildlife. The Department is aware of instances where a revoked guide will hire another licensed guide to take their clients on a guided hunt, thus usurping the Commission-ordered revocation while still collecting guiding fees from the customer. The Commission proposes to amend the rule to prohibit a licensed guide from acting as an agent for a revoked guide: "A guide license holder shall not aid, assist, serve as an agent to, represent, associate, or contract with a person whose privilege to take wildlife or guide is currently suspended or revoked pursuant to A.R.S. §§ 17-340, 17-362, or R12-4-606."

R12-4-210. Combination Hunting and Fishing License; Exemption: The rule establishes the requirements and privileges of both the resident and nonresident hunting and fishing combination licenses. The Commission proposes to amend the rule to correct the references to "Department identification number" with "Customer identification number."

R12-4-211. Lifetime License; Benefactor License: The objective of the rule is to establish the hunting and/or fishing privileges for the three lifetime licenses, application requirements, and fees for lifetime licenses. The rule was adopted to ensure compliance with statutory amendments resulting from the Fifty-first Legislature, 1st Regular Session, which amended statutes within Title 17 to authorize the Commission to establish license, permit, tag, and stamp fees by rule. Arizona's lifetime general hunting and fishing license program provides a unique opportunity for resident sportsmen and sportswomen to participate in the long-term funding of Arizona's Wildlife Conservation programs. The dollars derived from the sale of these special licenses are deposited into the established Arizona Wildlife Endowment Fund from which only the interest accrued will be used for management programs. Because the fees for the lifetime licenses are based on the applicant's age, the Commission proposes to amend the rule to clarify the kind of documents required in order to determine the applicant's age for the purpose of establishing the fee for the license. The Commission also proposes to amend the rule to correct the references to "Department identification number" with "Customer identification number."

R12-4-213. Hunt Permit-tags and Nonpermit-tags: The objective of the rule is to establish requirements to validate a license for the taking of a big game animal or any other wildlife requiring a valid tag. The Commission proposes to amend the rule to correct the references to "Department identification number" with "Customer identification number."

R12-4-215. Youth Group Two-day Fishing License: The objective of the rule is to establish youth group two-day fishing license privileges and requirements by rule to comply with statutory amendments. The Commission proposes to amend the rule to correct the references to "Department identification number" with "Customer identification number."

R12-4-216. Crossbow Permit: The objective of the rule is to establish eligibility requirements, conditions, and restrictions for the crossbow permit. The permit allows a person with a disability who cannot draw and hold a bow to use a crossbow during an archery-only hunt. The rule was adopted to provide a mechanism that afforded persons with a disability the opportunity to participate in archery hunting. From January 1, 1996 through January 2, 2015, the Department offered only permanent (lifetime) crossbow permits to persons with a permanent disability of at least 90% impairment of function of one arm. In response to customer comments regarding the overly restrictive eligibility requirements and the need for a temporary crossbow permit, on January 3,

2015, the Commission established a temporary crossbow permit that was valid for the time-frame specified by the healthcare professional and greatly expanded the eligibility criteria. The Department relies on the medical health professional to determine whether the applicant's medical condition is temporary or permanent. No specific testing was required by the medical health professional conducting the evaluation and no documentation of the evaluation was required to be submitted with the application for the crossbow permit. The only requirement is a general diagnosis as to whether the applicant's disability is permanent or temporary and a signature from the medical health professional. There is widespread concern over the issuance of these permits. Public comments voicing concerns over the abuse of the Crossbow Permit have come from multiple sources over the last 5 years (various article reviews, "Call to the Public" during which an individual may speak to the Commission at a public meeting, Hunt Guidelines reviews, etc.). When the public expresses consistent and considerable consternation over a topic, the Department and Commission feel that topic warrants further review and scrutiny. In addition, the Department's law enforcement officers have personally witnessed incidents of abuse of the Crossbow Permits in the field where a permit holder did not appear to have a disability requiring the need for a permit. This further emphasizes the need to scrutinize concerns voiced by our hunting public. The overarching concern is that people with the Crossbow Permit have an unfair advantage over those using compound or traditional bows to gain access to mature bulls and bucks in premium, high-demand hunts when the animals are very vulnerable (i.e., in the rut). Harvesting an animal with a crossbow is easier than with a compound or traditional bow, and the rates of success are higher, thus skewing success rates in archery-only seasons and closing seasons early or limiting opportunities for archery-only hunters using more conventional devices. Looking at recent data, from 2010-2013 to 2014-2018, the Department saw an average annual increase in permanent crossbow permits go from 895 per year to 925 per year; this is an average increase of 3.3%. From 2014-2018 to 2019-2023, the number of permanent crossbow permits increased to 1098 per year; an increase of 15.8%, which is five times greater than the earlier time frame. Many archery groups (e.g. Pope & Young and ABA) and hunters believe that crossbows function more like firearms, especially when equipped with scopes. Several bowhunting groups and archers have voiced the opinion that to use a compound, long, or recurved bow successfully and skillfully requires lots of diligent practicing and patience, while the capability of a scoped crossbow to shoot out to greater distances with greater accuracy allows for a relatively unskilled and unpracticed hunter to take a crossbow to the field, point, shoot, and harvest, with no real archery skills or real effort that a vertical bow requires. In addition, the improvements in crossbow technology have advanced to the point that a crossbow is no longer comparable to today's standard archery equipment and can no longer be considered a reasonable accommodation because advanced crossbow technology does not provide evenhanded treatment between the use of crossbows and conventional archery equipment. The unfair advantage the crossbow provides with higher success rates and limited permits has fundamentally altered archery-only hunts such that the crossbow under the current rule is not a reasonable accommodation. After a number of meetings with a group of hunters and stakeholders, and with comments submitted recently via a lengthy public comment period, the Commission proposes to amend the rule to establish stricter standards towards the issuance of permits to ensure all applicants have a disability that prevents them from using conventional archery equipment and to eliminate some of the devices used with a crossbow that have contributed to the unfair advantage over hunters using conventional archery equipment. These changes include a qualified healthcare provider certifying an applicant has a disability and identifying the physical impairment that substantially limits an applicant's ability to use conventional archery equipment. The proposed rule will also restrict the use of magnifying scopes, red dots, and other optics, as well as establishing when and who may use external support structures, like tripods and bipods, to make modern crossbow technology, accessories, and shooting techniques more comparable to modern standard archery equipment. The Commission also proposes to amend the rule to correct the references to "Department identification number" with "Customer identification number."

R12-4-217. Challenged Hunter Access/Mobility Permit (CHAMP): The objective of the rule is to establish eligibility requirements, conditions, and restrictions for the Challenged Hunter Access/Mobility Permit (CHAMP). The permit allows a disabled person to perform activities while hunting normally prohibited under A.R.S. § 17-301. The Commission previously amended R12-4-216 to clarify that the use of a pneumatic weapon using bolts or arrows during an archery-only season is limited to persons who possess both a Crossbow Permit issued under R12-4-216 and a CHAMP issued under R12-4-217. The Commission proposes to amend the rule to state a CHAMP holder may use any of the following during an archery-only season as prescribed under R12-4-318: a crossbow, as defined under R12-4-101, using a single bowstring, capable of firing only a single arrow or bolt with each loading and cocking action, and subject to the same prohibitions on the use of a crossbow set forth in R12-4-216 (B)(1)(a), except that a person with a valid CHAMP may use external structures or devices to stabilize the crossbow when in use; any bow to be drawn and held with an assisting device, or a pre-charged pneumatic weapon, as defined under R12-4-301, using arrows or bolts and capable of firing only a single arrow or bolt at a time. The Commission also proposes to amend the rule to correct the references to "Department identification number" with "Customer identification number."

7. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

Not applicable

8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

9. The preliminary summary of the economic, small business, and consumer impact:

The Commission's intent in proposing the amendments indicated in #6 is to benefit the regulated community, members of the public, and the Department by clarifying rule language, creating consistency among existing Commission rules, creating additional opportunity for archery hunters, and reducing the burden on the regulated community where practical. The Commission anticipates the rulemaking will result in an overall benefit to the regulated community, members of the public, and the Department. The Commission anticipates the rulemaking will result in little or no impact to political subdivisions of this state; private and public employment in businesses, agencies or political subdivisions, or state revenues. The Commission has determined that there are no less intrusive or costly alternative methods of achieving the purpose of the rulemaking. Therefore, the Commission has determined

that the benefits of the rulemaking outweigh any costs.

10. The agency's contact person who can answer questions about the economic, small business and consumer impact statement:

Name: Larisa Harding
Title: Small Game Program Manager
Division: Wildlife Management Division
Address: 5000 W. Carefree Hwy
Phoenix, AZ 85086
Telephone: (623) 236-7503
Email: lharding@azgfd.gov
Website: azgfd.gov

11. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

An oral proceeding is scheduled on this proposed rulemaking.

Date: September 5, 2025
Time: 8:00 a.m.
Location: Eagar Town Hall
22 W. Second Ave.
Eagar, AZ 85925
Nature: Commission Meeting

Public comment period ends: August 3, 2025
Close of record: September 5, 2025

12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The following rules require the issuance of a "general permit" as defined under A.R.S. § 41-1001(11) and are in compliance with A.R.S. § 41-1037:

R12-4-201. Pioneer License

R12-4-202. Complimentary and Reduced-fee Disabled Veteran's License; Reduced-fee Purple Heart Medal License

R12-4-203. National Harvest Information Program (HIP); State Waterfowl and Migratory Bird Stamp

R12-4-204. Taxidermy Registration; Register

R12-4-205. High Achievement Scout License

R12-4-206. General Hunting License; Exemption

R12-4-207. General Fishing License; Exemption

R12-4-208. Guide License

R12-4-210. Combination Hunting and Fishing License; Exemption

R12-4-211. Lifetime License; Benefactor License

R12-4-213. Hunt Permit-tags and Nonpermit-tags

R12-4-215. Youth Group Two-day Fishing License

R12-4-216. Crossbow Permit

R12-4-217. Challenged Hunter Access/Mobility Permit (CHAMP)

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

Except for the following rule, all rules included in this proposed rulemaking are based on State law and federal law is not directly applicable to the rules; 50 C.F.R. 20.20 Migratory Bird Harvest Information Program is applicable to rule R12-4-203. National Harvest Information Program (HIP); State Waterfowl and Migratory Bird Stamp. The federal regulation requires all state wildlife agencies to ask each licensed migratory bird hunter to report approximately how many ducks, geese, doves, and woodcock he or she bagged the previous year, whether he or she hunted coots, snipe, rails, and/or gallinules the previous year. The Department has determined the rule is not more stringent than the corresponding federal regulation.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

Not applicable

13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

Not applicable

14. The full text of the rules follows:

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

ARTICLE 2. LICENSES; PERMITS; STAMPS; TAGS

Section
R12-4-201. Pioneer License
R12-4-202. Complimentary and Reduced-fee Disabled Veteran's License; Reduced-fee Purple Heart Medal License
R12-4-203. National Harvest Information Program (HIP); State Waterfowl and Migratory Bird Stamp
R12-4-204. Taxidermy Registration; Register
R12-4-205. High Achievement Scout License
R12-4-206. General Hunting License; Exemption
R12-4-207. General Fishing License; Exemption
R12-4-208. Guide License
R12-4-210. Combination Hunting and Fishing License; Exemption
R12-4-211. Lifetime License; Benefactor License
R12-4-213. Hunt Permit-tags and Nonpermit-tags
R12-4-215. Youth Group Two-day Fishing License
R12-4-216. Crossbow Permit
R12-4-217. Challenged Hunter Access/Mobility Permit

ARTICLE 2. LICENSES; PERMITS; STAMPS; TAGS

R12-4-201. Pioneer License

A. A pioneer license grants all of the hunting and fishing privileges of a combination hunting and fishing license. The pioneer license is only available at a Department office.

B. The pioneer license is a complimentary license and is valid for the license holder's lifetime. The license remains valid if the licensee subsequently resides outside of this state.
1. A licensee who resides outside of Arizona shall submit the nonresident fee to purchase any required hunt permit-tag, nonpermit-tag, or stamp to hunt and fish in this state.
2. Limits established under R12-4-114 for nonresident hunt permit-tags and nonpermit-tags do not apply to a pioneer license holder.

C. A person who is age 70 or older and has been a resident of Arizona for at least 25 consecutive years immediately preceding application may apply for a pioneer license by submitting an application to the Department. The application form is furnished by the Department and is available at any Department office and on the Department's website. A pioneer license applicant shall provide all of the following information on the application:
1. The applicant's personal information:
   a. Name;
   b. Date of birth;
   c. Physical description, to include the applicant's eye color, hair color, height, and weight;
   d. ~~Department~~ Customer identification number, when applicable;
   e. Residency status and number of years of residency immediately preceding application, when applicable;
   f. Mailing address, when applicable;
   g. Physical address;
   h. Telephone number, when available; and
   i. E-mail address, when available;
2. Affirmation that:
   a. The applicant is 70 years of age or older and has been a resident of this state for 25 or more consecutive years immediately preceding application for the license; and
   b. The information provided on the application is true and accurate.
3. Applicant's signature and date.

D. In addition to the requirements listed under subsection (C), an applicant for a pioneer license shall also submit a copy of any one of the following documents at the time of application:
1. Valid U.S. passport;
2. Applicant's birth certificate;
3. Valid government-issued driver's license; or
4. Valid government-issued identification card.

E. All information and documentation provided by the applicant is subject to Department verification.

F. The Department shall deny a pioneer license when the applicant:
1. Fails to meet the criteria prescribed under A.R.S. § ~~17-336(A)(1)~~ 17-333(C)(1),
2. Fails to comply with this Section, or
3. Provides false information on the application.

G. The Department shall provide written notice to the applicant stating the reason for the denial. The applicant may appeal the denial to the Commission as prescribed under A.R.S. Title 41, Ch 6, Article 10.

H. A pioneer license holder may request a no-fee duplicate of the paper license provided:

1. The license was lost or destroyed;
2. The license holder submits a written request to the Department for a no-fee duplicate paper license; and
3. The Department's records indicate a pioneer license was previously issued to that person.

I. A person issued a pioneer license prior to January 1, 2014 shall be entitled to the privileges established under subsection (A).

R12-4-202. Complimentary and Reduced-fee Disabled Veteran's License; Reduced-fee Purple Heart Medal License

A. The complimentary and reduced-fee disabled veteran's licenses and Purple Heart Medal license grant all of the hunting and fishing privileges of a combination hunting and fishing license. The disabled veteran's and Purple Heart Medal license are only available at a Department office.

B. The Department offers three types of veteran's licenses:

1. A complimentary lifetime license to a disabled veteran who receives compensation from the U.S. government for a permanent service-connected disability rated as 100% disabling.
   a. The complimentary license is valid for either a three-year period from the issue date or the license holder's lifetime.
   b. If the certification or benefits letter required under subsection (D)(1) indicate the applicant's disability rating of 100% is permanent and:
      i. Will not be reevaluated, the disabled veteran's license shall be valid for the license holder's lifetime.
      ii. Will be reevaluated in three years, the disabled veteran's license will expire three years from the date of issuance.
   c. Eligibility for the complimentary disabled veteran's license is based on the disability rating, not on the compensation received by the veteran.
   d. An applicant for a complimentary disabled veteran's license shall have been a resident of Arizona for at least one year immediately preceding application.
   e. The lifetime disabled veteran's license remains valid if the licensee subsequently resides outside of this state.
      i. A licensee who resides outside of Arizona shall submit the nonresident fee to purchase any required hunt permit-tag, nonpermit-tag, or stamp to hunt and fish in this state.
      ii. Limits established under R12-4-114 for nonresident hunt permit-tags and nonpermit-tags do not apply to a lifetime disabled veteran's license holder.
2. A reduced-fee license to a disabled veteran who is a resident as defined under A.R.S. § 17-101 and who is receiving compensation from the U.S. government for a service-connected disability.
   a. The reduced-fee license is valid for one year from the date of purchase or selected start date provided the date selected is no more than 60 calendar days from and after the date of purchase.
   b. The applicant shall pay the fee required under R12-4-102.
3. A reduced-fee license to a person who submits satisfactory proof to the Department that the person is a bona fide Purple Heart Medal recipient.
   a. The reduced-fee license is valid for one year from the date of purchase or selected start date provided the date selected is no more than 60 calendar days from and after the date of purchase.
   b. An applicant for a reduced-fee Purple Heart Medal license shall have been a resident of Arizona for at least one year immediately preceding application.

C. A person applying for a disabled veteran's or Purple Heart Medal license shall submit an application to the Department. The application form is furnished by the Department and available at any Department office and on the Department's website. The applicant shall provide all of the following information on the application:

1. The applicant's personal information:
   a. Name;
   b. Date of birth;
   c. Physical description, to include the applicant's eye color, hair color, height, and weight;
   d. ~~Department~~ Customer identification number, when applicable;
   e. Residency status and number of years of residency immediately preceding application, when applicable;
   f. Mailing address, when applicable;
   g. Physical address;
   h. Telephone number, when available; and
   i. E-mail address, when available;
2. Affirmation that:
   a. The applicant meets the eligibility requirements prescribed under A.R.S. § 17-333(C)(2), (C)(3), or (C)(4),
   b. The applicant has been a resident of this state for at least one year immediately preceding application for the license,
   c. The information provided on the application is true and accurate.
3. Applicant's signature and date.

D. In addition to the requirements established under subsection (B), an applicant for a veteran's license shall, at the time of application, certify eligibility for the license by submitting:

1. For a complimentary or reduced-fee disabled veterans license issued under A.R.S. § 17-333(C)(2) or (C)(3) respectively, an original or facsimile DD-214, certification form, or a benefits letter issued by the U.S. Department of Veteran's Affairs (DVA) or obtained from the DVA website that meets the requirements specified in subsections (B)(1) and (B)(2). The certification form is furnished by the Department and is available at any Department office and on the Department's website. The certification shall be completed and signed by an agent of the U.S. Department of Veteran's Affairs.
2. For a Purple Heart Medal license issued under A.R.S. § 17-333(C)(4), an original or facsimile DD-214 or DD-215, service records showing the award, military orders of the award, or other military discharge document such as WD AGO Form. The actual Purple Heart Medal or a certificate of award will not suffice alone for verification purposes.

E. All information and documentation provided by the applicant is subject to Department verification. The Department shall return the original or certified copy of a document to the applicant after verification.

F. The Department shall deny a disabled veteran's or Purple Heart Medal license when the applicant:
1. Fails to meet the criteria prescribed under A.R.S. § 17-333(C)(2), (C)(3), or (C)(4),
2. Fails to comply with the requirements of this Section, or
3. Provides false information during the application process.

G. The Department shall provide written notice to the applicant stating the reason for the denial. The applicant may appeal the denial to the Commission as prescribed under A.R.S. Title 41, Chapter 6, Article 10.

H. A complimentary disabled veteran's license holder may request a no-fee duplicate paper license provided:
1. The license was lost or destroyed,
2. The license holder submits a written request to the Department for a duplicate license, and
3. The Department's records indicate a disabled veteran's license was previously issued to that person.

I. A person issued a disabled veteran's license prior to January 1, 2014 shall be entitled to the privileges established under subsection (A).

J. For the purposes of this Section:
1. "Disabled veteran" means a veteran of the armed forces of the U.S. with a service connected disability.
2. "Veteran" means a person who has served in the U.S. armed forces.

R12-4-203. National Harvest Information Program (HIP); State Waterfowl and Migratory Bird Stamp

A. All state fish and wildlife agencies are required to obtain data to assess the harvest of migratory game birds in compliance with the federally mandated National Harvest Information Program administered by the United States Fish and Wildlife Service in accordance with 50 C.F.R. Part 20.

B. In compliance with the National Harvest Information Program, the Department requires a person to possess a migratory bird stamp or authorization number, which may be affixed to or written on the appropriate license, and a current, valid federal waterfowl stamp or electronic stamp. The migratory bird stamp and authorization number are required to take band-tailed pigeons, ~~moorhen~~ gallinules, coots, doves, ducks, geese, snipe, or swans.
1. The state migratory bird stamp expires on June 30 of each year. To obtain a state migratory bird stamp, a person shall submit:
   a. The fee required under R12-4-102, and
   b. A completed state migratory bird registration form to a license dealer or a Department office.
2. The person shall provide on the state migratory bird registration form the person's:
   a. Name,
   b. Mailing address,
   c. Date of birth, ~~and~~
   d. Information on past and anticipated hunting activity, and
   e. If applicable, the election of the Tier I or Tier II bag limit for the entirety of the waterfowl season.
3. The youth combination hunting and fishing license includes the state migratory bird stamp privileges. A youth hunter who possesses a valid combination hunting and fishing license shall obtain:
   a. A Federal waterfowl stamp or electronic stamp when the youth hunter is 16 years of age or older and is taking ducks, geese, swans, coots, gallinules; or
   b. A permit-tag when the youth hunter is taking sandhill crane.

C. When authorized by the U.S. Fish and Wildlife Service and Commission Order, persons 16 years of age and older who purchase a state migratory bird stamp and indicate they will hunt waterfowl will be prompted to select a tier and are bound to that bag limit for the entire season.
1. Tier I Bag Limit: a traditional seven-duck bag limit with species and sex restrictions. Persons 16 years of age and younger are exempt from the state waterfowl stamp requirement only when choosing the Tier I bag limit.
2. Tier II Bag Limit: a reduced bag limit for ducks with no species or sex restrictions. All persons regardless of age must purchase a state waterfowl stamp when choosing the Tier II bag limit.
3. The tiers do not apply to goose, coots, gallinules, or snipe, which have their own bag limit.

~~C.~~D. A license dealer shall submit state migratory bird registration forms for all state migratory bird stamps sold with the monthly report required under A.R.S. § 17-338.

R12-4-204. Taxidermy Registration; Register

A. A person shall register with the Department before engaging in the business of taxidermy for hire. A taxidermy registration authorizes a person to mount, refurbish, maintain, restore, or preserve wildlife as defined under A.R.S. § 17-101.

B. A taxidermy registration expires on December 31 of each year.

C. The Department shall deny a taxidermy registration when the applicant:
1. Fails to meet the requirements established under this Section;
2. Provides false information during the application process; or
3. Provides false information in the register required under A.R.S. § 17-363(B).

D. The Department shall provide written notice to the applicant stating the reason for the denial. The applicant may appeal the denial to the Commission as prescribed under A.R.S. Title 41, Chapter 6, Article 10.

E. A person may apply for a taxidermy registration by paying the applicable fee and submitting an application to the Department. The application form is available on the Department's website. A taxidermy registration applicant shall provide all of the following information:
1. The applicant's information:
   a. Name;
   b. Date of birth;
   c. ~~Department~~ Customer identification number, when applicable;
   d. Mailing address, when applicable;

e. Physical address;
f. Telephone number, when available;
g. Email address, when available; and
2. The applicant's business information:
a. Name;
b. Mailing address;
c. Email address;
d. Website URL address, if available;
e. Business telephone number, when applicable;
f. Calendar year for which the application is made; and
g. Whether the applicant is seeking renewal of an existing taxidermy registration.
3. Affirmation that the information provided on the application is true and accurate; and
4. Applicant's signature and date.

F A registered taxidermist may submit an application for renewal of a taxidermy registration after December 1 of the year it was issued.

G. A registered taxidermist shall maintain a register of all persons who furnish raw and unmounted wildlife specimens for taxidermy service using the form available on the Department's website.
1. This register shall be:
a. Maintained for a period of five years after the date the raw and unmounted wildlife specimens were received;
b. Provided upon request to an employee of the Department; and
c. Filed with the Department on or before January 31 of each year.
2. This register shall contain all of the following information, as applicable:
a. The registered taxidermist's information:
i. Name;
ii. Taxidermy registration number;
iii. Email address, when available; and
b. The customer's or potential customer's:
i. Name;
ii. Address;
iii. Taker's tag or license number;
iv. Species and number of wildlife received;
v. Date wildlife received; and
c. A signed affirmation from the registered taxidermist that the information provided in the register is true and accurate.
3. The taxidermy renewal registration becomes invalid if the register is not submitted to the Department by January 31 of the year following registration.

H. As authorized under A.R.S. § 17-363(C), the Commission may revoke or suspend the taxidermy registration of a person convicted of violating any provision of A.R.S. § 17-363 or requirement established under this Section.

R12-4-205. High Achievement Scout License

A. A high achievement scout license is offered to a resident who is:
1. Eligible for a combination hunting and fishing license,
2. Under 21 years of age, and
3. A member of ~~the Boy Scouts of the United States of America~~ Scouting BSA and has attained the rank of Eagle Scout, or
4. A member of the Girl Scouts of the ~~United States of America~~ USA and has attained the Gold Award.

B. The high achievement scout license grants all of the hunting and fishing privileges of the youth combination hunting and fishing license and is only available at Department offices.
1. The license is valid for one year from the date of purchase or selected start date provided the date selected is no more than 60 calendar days from and after the date of purchase.
2. A valid hunt permit-tag, nonpermit-tag, or stamp is required to validate the high achievement scout license for the take of big game animals, migratory game birds, or other wildlife authorized by an applicable tag or stamp.

C. An applicant for a high achievement scout license shall apply on an application form available from any Department office and on the Department's website. The applicant shall provide all of the following information on the application:
1. The applicant's:
a. Name;
b. Date of birth;
c. Physical description, to include the applicant's eye color, hair color, height, and weight;
d. ~~Department~~ Customer identification number, when applicable;
e. Residency status and number of years of residency immediately preceding application, when applicable;
f. Mailing address, when applicable;
g. Physical address;
h. Telephone number, when available; and
i. E-mail address, when available;
2. Affirmation that the information provided on the application is true and accurate; and
3. Applicant's signature and date.

D. In addition to the application, an eligible applicant shall present with the application:
1. For an applicant who is a member of the ~~Boy Scouts of the United States of~~ Scouting America, any one of the following original documents:

a. A certification letter from the ~~Boy Scouts of the United States of~~ Scouting America stating that the applicant has attained the rank of Eagle Scout,
b. A ~~Boy Scouts of the United States of~~ Scouting America Eagle Scout Award Certificate, or
c. A ~~Boy Scouts of the United States of~~ Scouting America Eagle Scout wallet card.

2. For an applicant who is a member of the Girl Scouts of the ~~United States of America~~ USA, any one of the following original documents:

a. A certification letter from the Girl Scouts of the ~~United States of America~~ USA stating that the applicant has completed the award,
b. A Girl Scouts of the ~~United States of America~~ USA Gold Award Certificate, or
c. A Girl Scouts Gold Award Certificate from the local council.

E. The Department shall deny a high achievement scout license to an applicant who:
1. Is not eligible for the license;
2. Fails to comply with the requirements of this Section; or
3. Provides false information during the application process.

F. The Department shall provide written notice to the applicant stating the reason for the denial. The applicant may appeal the denial to the Commission as prescribed under A.R.S. Title 41, Chapter 6, Article 10.

R12-4-206. General Hunting License; Exemption

A. A general hunting license is valid for the taking of small game, fur-bearing animals, predatory animals, nongame animals, and upland game birds. A valid hunt permit-tag, nonpermit-tag, or stamp is required to validate the general hunting license for the take of big game animals, migratory game birds, or other wildlife authorized by an applicable tag or stamp.

B. The general hunting license is valid for one-year from:
1. The date of purchase when a person purchases the hunting license from a license dealer, as defined under R12-4-101;
2. On the last day of the application deadline for that draw, as established by the hunt permit-tag application schedule published by the Department;
3. On the last day of an extended deadline date, as authorized under subsection R12-4-104(C). If an applicant does not possess an appropriate license that meets the requirements of this subsection, the applicant shall purchase the license at the time of application; or
4. The selected start date when a person purchases the hunting license from a Department office or online. A person may select the start date for the hunting license provided the date selected is no more than 60 calendar days from and after the date of purchase.

C. A resident may apply for a general hunting license by submitting an application to the Department, a License Dealer as defined under R12-4-101, or on the Department's website. The application is furnished by the Department and is available at any Department office, license dealer, and on the Department's website. A general hunting license applicant shall provide the following information on the application:
1. The applicant's:
   a. Name;
   b. Date of birth,
   c. Physical description, to include the applicant's eye color, hair color, height, and weight;
   d. ~~Department~~ Customer identification number, when applicable;
   e. Residency status and number of years of residency immediately preceding application, when applicable;
   f. Mailing address, when applicable;
   g. Physical address;
   h. Telephone number, when available; and
   i. E-mail address, when available; and
2. Affirmation that the information provided on the application is true and accurate; and
3. Applicant's signature and date.

D. In addition to the requirements listed under subsection (C), at the time of application an applicant who is applying for a general hunting license:
1. In person shall pay the applicable fee required under R12-4-102.
2. Online shall electronically pay the fee required under R12-4-102 and print the new license. A person applying online shall affirm, or provide permission for another person to affirm, the information electronically provided is true and accurate.

E. A person who is under 10 years of age may hunt wildlife other than big game without a hunting license when accompanied by a properly licensed person who is 18 years of age or older.

R12-4-207. General Fishing License; Exemption

A. A general fishing license is valid for the taking of all aquatic wildlife and allows the license holder to engage in simultaneous fishing as defined under R12-4-301. The general fishing license is valid:
1. State-wide including Mittry Lake and Topock Marsh and the Arizona shoreline of Lake Mead, Lake Mohave and Lake Havasu, and Commission designated community waters. The list of Commission designated community waters is available at any license dealer, Department office, and on the Department's website.
2. On that portion of the Colorado River that forms the common boundary between Arizona and Nevada and Arizona and California and connected adjacent water, provided Arizona has an agreement with California and Nevada that recognizes a general fishing license as valid for taking aquatic wildlife on any portion of the Colorado River that forms the common boundary between Arizona and Nevada and Arizona and California.

B. The general fishing license is valid for one-year from:
1. The date of purchase when a person purchases the fishing license from a license dealer, as defined under R12-4-101; or

2. The selected start date when a person purchases the fishing license from a Department office or online. A person may select the start date for the fishing license provided the date selected is no more than 60 calendar days from and after the date of purchase.

C. A resident or nonresident may apply for a general fishing license by submitting an application to the Department, a License Dealer as defined under R12-4-101, or on the Department's website. The application is furnished by the Department and is available at any Department office, license dealer, and on the Department's website. A general fishing license applicant shall provide the following information on the application:
1. The applicant's:
   a. Name;
   b. Date of birth,
   c. Physical description, to include the applicant's eye color, hair color, height, and weight;
   d. ~~Department~~ Customer identification number, when applicable;
   e. Residency status and number of years of residency immediately preceding application, when applicable;
   f. Mailing address, when applicable;
   g. Physical address;
   h. Telephone number, when available; and
   i. E-mail address, when available; and
2. Affirmation that the information provided on the application is true and accurate; and
3. Applicant's signature and date.

D. In addition to the requirements listed under subsection (C), an applicant who is applying for a general fishing license:
1. In person shall pay the applicable fee required under R12-4-102.
2. Online shall electronically pay the fee required under R12-4-102 and print the new license. A person applying online shall affirm, or provide permission for another person to affirm, the information electronically provided is true and accurate.

E. In addition to the exemption prescribed under A.R.S. § 17-335, a person who is under 10 years of age may fish without a fishing license.

R12-4-208. Guide License

A. A guide, as defined under A.R.S. § 17-101, is a person who does any one of the following:
1. Advertises for guiding services.
2. Is presented to the public for hire as a guide.
3. Is employed by a commercial enterprise as a guide.
4. Accepts compensation in any form commensurate with the market value in this state for guiding services in exchange for aiding, assisting, directing, leading, or instructing a person in the field to locate and take wildlife.
5. Is not a landowner or lessee who, without full fair market compensation, allows access to the landowner's or lessee's property and directs and advises a person in taking wildlife.

B. A person shall not act as a guide unless the person holds one of the following guide licenses:
1. A hunting guide license, which authorizes the license holder to act as a guide for the lawful taking of wildlife other than aquatic wildlife as defined under A.R.S. § 17-101.
2. A fishing guide license, which authorizes the license holder to act as a guide for the lawful taking of aquatic wildlife.
3. A hunting and fishing guide license, which authorizes the license holder to act as a guide for the lawful taking of wildlife.

C. A guide license shall expire on December 31 of each year.

D. A person is not eligible to apply for an original or renewal guide license when any one of the following conditions apply:
1. The applicant was convicted of a felony violation of any federal wildlife law, within five years immediately preceding the date of application;
2. The applicant was convicted of a violation listed under A.R.S. § 17-309(D), within five years immediately preceding the date of application;
3. The applicant was convicted of a violation of a federal or state wildlife law for which a license to take wildlife may be revoked or suspended within five years immediately preceding the date of application; or
4. The applicant's privilege to take or possess wildlife or to guide or act as a guide is currently suspended or revoked anywhere in the U.S. for violation of a federal or state wildlife law.

E. Notwithstanding subsection (D), a person who was convicted of a misdemeanor violation of any wildlife law within one year preceding the date of application may apply for a guide license provided the person immediately and voluntarily reported the violation to the Department after committing the violation.

F. An applicant for a guide license shall:
1. Be 18 years of age or older, and
2. Possess the required Department-issued license, as applicable:
   a. A current Arizona hunting license when applying for a hunting guide license;
   b. A current Arizona fishing license when applying for a fishing guide license;
   c. A current Arizona combination hunting and fishing license when applying for a hunting and fishing guide license;

G. The guide license does not exempt the license holder from any applicable method of take or licensing requirement. The guide license holder shall comply with all applicable Commission rules, including, but not limited to, rules governing:
1. Lawful methods of take,
2. Lawful devices, and
3. License requirements.

H. Unless otherwise provided under this Section, a person shall successfully complete the Department administered examination, and answer at least 80% of the questions correctly, prior to applying for a guide license. Guide examinations are:
1. Provided at a Department office.
2. Valid until December 31 of the year in which it was taken.

3. A person interested in taking the guide examination shall contact a Department office to obtain scheduling information.

I. The examination is based on the type of guide license the person is seeking.
1. Before taking the examination, the applicant shall provide their:
   a. Name;
   b. Date of birth; and
   c. Driver license number and issuing state.
2. The examination may include questions regarding any of the following topics:
   a. A.R.S. Title 17 Game and Fish statutes and Commission rules regarding the taking and handling of terrestrial and aquatic wildlife;
   b. A.R.S. Title 28, Ch 3, Article 20 Off-highway Vehicles statutes and rule regarding the use of off-highway vehicles;
   c. A.R.S. Title 5, Ch 3, Boating and Water Sports statutes and Commission rules on boating;
   d. Requirements for guiding on federal lands;
   e. Identification of aquatic wildlife species;
   f. Identification of wildlife;
   g. Special state and federal laws regarding certain species;
   h. General knowledge of fair chase, hunter ethics, and conservation in Arizona;
   i. General knowledge of species habitat and wildlife that may occur in the same habitat;
   j. General knowledge of the types of habitat within the State; and
   k. General knowledge of special or concurrent jurisdictions within the State.
3. An applicant who fails the examination may retake the examination as agreed upon by the applicant and the examination administrator.

J. In addition to the guide examination requirement under subsection (H), a guide license holder shall take the Department administered examination when:
1. The applicant currently holds a hunting or fishing guide license and is applying for a combination hunting and fishing guide license;
2. The applicant for a hunting guide license was convicted of a violation of A.R.S. Title 17 or Game and Fish Commission rule governing the taking and handling of terrestrial wildlife within one year preceding the date of application;
3. The applicant for a fishing guide license was convicted of a violation of A.R.S. Title 17 or Game and Fish Commission rule governing the taking and handling of aquatic wildlife within one year preceding the date of application;
4. The applicant failed to submit a renewal application postmarked before the expiration date of the guide license; or
5. The applicant failed to submit the annual report for the preceding license year by January 10 of the following license year.

K. A person may apply for a guide license by submitting an application to the Department. The application form is furnished by the Department and is available at any Department office and on the Department's website. A guide license applicant shall provide all of the following information on the application:
1. The applicant's personal information:
   a. Name;
   b. Date of birth;
   c. Physical description, to include the applicant's eye color, hair color, height, and weight;
   d. Social Security Number;
   e. Current hunting, fishing, or combination hunting and fishing license number;
   f. Residency status;
   g. Mailing address, when applicable;
   h. Physical address;
   i. Telephone number, when available;
   j. E-mail address, when available;
   k. Type of guide license sought; and
   l. Calendar year for which the application is made;
2. The outfitting or guide:
   a. Business name; and
   b. Business address, as applicable;
3. Responses to questions relating to criminal violations;
4. Affirmation that:
   a. The applicant meets the eligibility requirements prescribed under this Section; and
   b. The information provided on the application is true and accurate;
5. Applicant's signature and date.

L. In addition to the requirements listed under subsection (K), an applicant for a guide license shall also submit a copy of any one of the following as proof of the applicant's identity:
1. Valid U.S. passport;
2. Applicant's birth certificate;
3. Valid government-issued driver's license; or
4. Valid government-issued identification card.

M. All information and documentation provided by the guide license applicant is subject to Department verification.

N. An applicant for a guide license shall pay all applicable fees required under R12-4-102 upon approval of an initial or renewal application for a guide license.

O. The Department shall deny a guide license when the applicant:
1. Fails to meet the criteria prescribed under A.R.S. § 17-362,

2. Fails to comply with the requirements of this Section,
3. Provides false information during the application process,
4. Fails to provide the annual report required under subsection (R) by January 10, or
5. Provides false information in the annual report required under subsection (R) within three years immediately preceding the date of application.

P. The Department shall provide written notice to the applicant stating the reason for the denial. The applicant may appeal the denial to the Commission as prescribed under A.R.S. Title 41, Chapter 6, Article 10.

Q. A guide license holder may submit an application for renewal of a guide license after December 1 of the year it was issued. The Department shall not start the substantive review, as defined under A.R.S. § 41-1072, before January 10 of the following license year, unless the Department receives the annual report prior to the date established under subsection (R). The current guide license shall remain valid pending a Department decision on the application for renewal, provided:
1. The application for renewal is submitted to the Department by December 31, and
2. The Department receives the annual report submitted in compliance with subsection (R).

R. A guide license holder shall submit to the Department the annual report required under A.R.S. § 17-362(C) for the previous calendar year ~~before~~ after January 1 but no later than January 10 of the following license year. The report form is furnished by the Department and is available at any Department office or on the Department's website.
1. A report is required whether or not the license holder performed any guiding activities.
2. The annual report shall include all of the following information, as applicable:
   a. License holder's personal information:
      i. Name;
      ii. Guide license number; and
      iii. E-mail address, when available; and
   b. Client's personal information:
      i. Name;
      ii. Mailing address; and
      iii. Arizona license, tag and permit numbers, and
   c. Dates guiding activities were conducted;
   d. Number and species of wildlife taken by the clients;
   e. Game management unit or body of water where guiding activities took place;
   f. Affirmation that the information provided in the annual report is true and accurate; and
   g. License holder's signature and date.
3. The Department shall not renew a guide license if the annual report is not submitted to the Department by January 10 of the following license year.

S. The date of receipt for the items required under subsections (K), (L), (Q), and (R) shall be as follows:
1. The date a person presents the items to a Department office;
2. The date a private express mail carrier receives the package containing the items as indicated on the shipping package; or
3. The date of the United States Postal Service postmark stamped on the envelope containing the items.

T. A guide license holder shall:
1. Complete a Department-sanctioned continuing education course at least once every five-years.
2. While performing any activities or services as a guide ~~activities or providing guide services~~, as defined under A.R.S. § 17-101:
   a. Possess a valid guide license.
   b. Possess a valid Arizona hunting, fishing, or combination hunting and fishing license, as applicable under subsection (F)(2).
   c. Present the license for inspection upon the request of any peace officer, including wildlife managers and game rangers.
   d. Report any violation of a federal or state statute or regulation~~, law, or rule personally witnessed by~~ the guide license holder knew or should have known of that involves or relates to the take or possession of wildlife or involves or relates to another guide or guide license holder's legal obligations.

U. A guide license holder shall not:
1. Use, or allow another person to use, any method or device prohibited under any federal or state wildlife regulation, law, or rule while taking wildlife.
2. Aid, counsel, agree to aid, or attempt to aid another person in planning or engaging in conduct that results in a violation of any federal or state wildlife regulation, law, or rule while taking wildlife.
3. A guide license holder shall not aid, assist, serve as an agent to, represent, associate, or contract with a person whose privilege to take wildlife or guide is currently suspended or revoked pursuant to A.R.S. §§ 17-340, 17-362, or R12-4-606.
~~3.~~4. Pursue any wildlife or hold at bay any wildlife for a person unless that person is present during the pursuit to take the wildlife.
   a. The person shall be continuously present during the entire pursuit of that specific target animal.
   b. If dogs are used, the person shall be present when the dogs are released on a specific target animal and shall be continuously present for the remainder of the pursuit.
~~4.~~5. Hold wildlife at bay other than during daylight hours, unless a Commission Order authorizes the take of the species at night.

V. It is a violation for a licensed or unlicensed guide to employ, hire, direct, or authorize another person to provide guiding services for compensation, and the guide knew or should have known that person would likely commit a violation of A.R.S. Title 17 or Game and Fish Commission rules while the person is providing such guiding services on behalf of, or for the benefit of, the guide. "Knew or should have known" means actual knowledge, or that a reasonably observant person under the same or similar circumstances would have had knowledge, or a person had a duty to inquire or investigate the facts and circumstances that person would commit a violation.

~~**V**~~**W.** As authorized under A.R.S. § 17-362(A), the Commission may revoke or suspend a guide license when any one or more of the following actions occur:

1. The guide license holder. failed to comply with the requirements of A.R.S. Title 17 or was convicted of violating any provision of A.R.S. Title 17;
2. The guide license holder was convicted of a felony violation of any federal wildlife law;
3. The guide license holder was convicted of a violation listed under A.R.S. § 17-309(D);
4. The guide license holder was convicted of a violation of a federal or state wildlife law for which a license to take wildlife may be revoked or suspended; or
5. The guide license holder's privilege to take or possess wildlife is suspended or revoked by any jurisdiction for violation of a federal or state wildlife law.

R12-4-210. Combination Hunting and Fishing License; Exemption

A. A combination hunting and fishing license is valid for the taking of small game, fur-bearing animals, predatory animals, nongame animals, and upland game birds.

B. A combination hunting and fishing license is valid for the taking of all aquatic wildlife and allows the license holder to engage in simultaneous fishing as defined under R12-4-101. The combination hunting and fishing license is valid:
1. State-wide including Mittry Lake and Topock Marsh and the Arizona shoreline of Lake Mead, Lake Mohave and Lake Havasu, and Commission designated community waters. The list of Commission designated community waters is available at any license dealer, Department office, and on the Department's website.
2. On that portion of the Colorado River that forms the common boundary between Arizona and Nevada and Arizona and California and connected adjacent water, provided Arizona has an agreement with California and Nevada that recognizes a combination hunting and fishing license as valid for taking aquatic wildlife on any portion of the Colorado River that forms the common boundary between Arizona and Nevada and Arizona and California.

C. The Department offers three combination hunting and fishing licenses:
1. A short-term combination hunting and fishing license, valid for one 24-hour period from midnight to midnight.
   a. The short-term combination hunting and fishing license is not valid for the take of big game animals.
   b. The short-term combination hunting and fishing license is valid for the take of migratory game birds and waterfowl, provided the person possesses the applicable State Migratory Bird stamp and Federal Waterfowl stamp.
   c. The Department does not limit the number of short-term combination hunting and fishing licenses a resident or nonresident may purchase.
2. A combination hunting and fishing license for a person age 18 and over.
   a. The combination hunting and fishing license is valid for one-year from:
      i. The date of purchase when a person purchases the combination hunting and fishing license from a license dealer, as defined under R12-4-101;
      ii. On the last day of the application deadline for that draw, as established by the hunt permit-tag application schedule published by the Department;
      iii. On the last day of an extended deadline date, as authorized under subsection R12-4-104(C). If an applicant does not possess an appropriate license that meets the requirements of this subsection, the applicant shall purchase the license at the time of application; or
      iv. The selected start date when a person purchases the combination hunting and fishing license from a Department office or online. A person may select the start date for the combination hunting and fishing license provided the date selected is no more than 60 calendar days from and after the date of purchase.
   b. A valid hunt permit-tag, nonpermit-tag, or stamp is required to validate the combination hunting and fishing license for the take of big game animals, migratory game birds, or other wildlife authorized by an applicable tag or stamp.
3. A youth combination hunting and fishing license for a person through age 17.
   a. The combination hunting and fishing license is valid for one-year from:
      i. The date of purchase when a person purchases the combination hunting and fishing license from a license dealer, as defined under R12-4-101;
      ii. On the last day of the application deadline for that draw, as established by the hunt permit-tag application schedule published by the Department;
      iii. On the last day of an extended deadline date, as authorized under subsection R12-4-104(C). If an applicant does not possess an appropriate license that meets the requirements of this subsection, the applicant shall purchase the license at the time of application; or
      iv. The selected start date when a person purchases the combination hunting and fishing license from a Department office or online. A person may select the start date for the combination hunting and fishing license provided the date selected is no more than 60 calendar days from and after the date of purchase.
   b. A valid hunt permit-tag, nonpermit-tag, or stamp is required to validate the combination hunting and fishing license for the take of big game animals, migratory game birds, or other wildlife authorized by an applicable tag or stamp.

D. A resident or nonresident may apply for a combination hunting and fishing license by submitting an application to the Department, a License Dealer as defined under R12-4-101, or on the Department's website. The application is furnished by the Department and is available at any Department office, license dealer, and on the Department's website. A combination hunting and fishing license applicant shall provide the following information on the application:
1. The applicant's:
   a. Name;
   b. Date of birth,
   c. Physical description, to include the applicant's eye color, hair color, height, and weight;
   d. ~~Department~~ Customer identification number, when applicable;
   e. Residency status and number of years of residency immediately preceding application, when applicable;
   f. Mailing address, when applicable;

g. Physical address;
h. Telephone number, when available; and
i. E-mail address, when available; and
2. Affirmation that the information provided on the application is true and accurate; and
3. Applicant's signature and date.

E. In addition to the requirements listed under subsection (C), an applicant who is applying for a combination hunting and fishing license:
1. In person shall pay the applicable fee required under R12-4-102.
2. Online shall electronically pay the fee required under R12-4-102 and print the new license. A person applying online shall affirm, or provide permission for another person to affirm, the information provided on the online application is true and accurate.

F. Exemptions authorized under R12-4-206(E)~~,~~ and R12-4-207(E) also apply to this Section, as applicable.

R12-4-211. Lifetime License; Benefactor License

A. The Department offers the following lifetime licenses:
1. A lifetime hunting license includes the privileges established under R12-4-206(A).
2. A lifetime fishing license includes the privileges established under R12-4-207(A).
3. A lifetime combination hunting and fishing license includes the privileges established under R12-4-210(A) and (B).
4. A benefactor lifetime combination hunting and fishing license includes the privileges established under R12-4-210(A) and (B).

B. A valid hunt permit-tag, nonpermit-tag, or stamp is required to validate lifetime hunting or combination hunting and fishing license for the take of big game animals, migratory game birds, or other wildlife authorized by an applicable tag or stamp.

C. The lifetime licenses identified under subsection (A) do not expire and remain valid if the licensee subsequently resides outside of this state.
1. A licensee who resides outside of Arizona shall submit the nonresident fee to purchase any required hunt permit-tag, nonpermit-tag, or stamp to hunt and fish in this state.
2. Limits established under R12-4-114 for nonresident hunt permit-tags and nonpermit-tags do not apply to a lifetime license holder.

D. A resident may apply for a lifetime license by submitting an application to the Department and paying the applicable fee required under subsection (E). The application is furnished by the Department and is available at any Department office and on the Department's website. A lifetime license applicant shall provide the following information on the application:
1. The applicant's:
a. Name;
b. Date of birth,
c. Physical description, to include the applicant's eye color, hair color, height, and weight;
d. Social Security Number, when required under A.R.S. §§ 25-320(P) and 25-502(K);
e. ~~Department~~ Customer identification number, when applicable;
f. Residency status and number of years of residency immediately preceding application, when applicable;
g. Mailing address, when applicable;
h. Physical address;
i. Telephone number, when available; and
j. E-mail address, when available; and
2. Affirmation that the information provided on the application is true and accurate; and
3. Applicant's signature and date.
4. In addition to the requirements listed under subsections (1) through (3), an applicant for a lifetime license shall also submit a copy of any one of the following documents at the time of application:
a. Valid U.S. passport;
b. Applicant's birth certificate;
c. Valid government-issued driver's license; or
d. Valid government-issued identification card.

E. The fees for resident lifetime licenses listed under (A)(1) through (A)(3) are determined by the age of the applicant as follows:
1. Age 0 through 13 years is 17 times the fee established under R12-4-102 for the equivalent one-year license.
2. Age 14 through 29 years is 18 times the fee established under R12-4-102 for the equivalent one-year license.
3. Age 30 through 44 years is 16 times the fee established under R12-4-102 for the equivalent one-year license.
4. Age 45 through 61 years is 15 times the fee established under R12-4-102 for the equivalent one-year license.
5. Age 62 and older is 8 times the fee established under R12-4-102 for the equivalent one-year license.
6. For the purposes of this subsection, when the applicant is under the age of 18, the fee for the lifetime license is based on the full priced license fee, not the youth license fee.

F. The fee for the benefactor license listed under (A)(4) is $1,500. The difference between $1,500 and the license fee for a resident lifetime combination hunting and fishing license established under subsection (E):
1. Is a donation to the State for continued management, protection, and conservation of the State's wildlife.
2. Shall be credited to the wildlife endowment fund established under A.R.S. § 17-271.
3. May be tax deductible to the extent allowed by federal and state income tax statutes for contributions to qualifying tax-exempt organizations.

G. A lifetime license may be denied or suspended pursuant to, and for the offenses described under, A.R.S. § 17-340.

H. A person issued a lifetime license prior to the effective date of this Section shall be entitled to the privileges established under subsection (A)(1), (A)(2), (A)(3), or (A)(4), as applicable, for the equivalent lifetime license.

R12-4-213. Hunt Permit-tags and Nonpermit-tags

A. A valid hunt permit-tag or nonpermit-tag is required to validate a license to take a big game animal or other wildlife requiring a valid tag. Before a person may take a big game animal or other wildlife requiring a tag, the person shall apply for and obtain the appropriate tag required for the take of that big game animal or other wildlife.

B. A person may apply for a hunt permit-tag in accordance with R12-4-104 and at the times, locations, and in the manner established by the hunt permit-tag application schedule that the Department publishes and is available at any Department office, on the Department's website, or a License Dealer as defined under R12-4-101.

C. A person applying for a nonpermit-tag shall apply in accordance with R12-4-114 and pay the required fee established under R12-4-102.

D. Under A.R.S. § 17-332(C), the Department and its license dealers may issue a duplicate tag to a person whose tag was not used and is lost, destroyed, mutilated, or otherwise unusable; or placed on a harvested animal that was subsequently condemned and the carcass and all parts of the animal were surrendered to a Department employee as required under R12-4-112(B) and (C). The person shall complete and sign the affidavit furnished by the Department. The affidavit is available at any Department office or License Dealer. The person shall provide the following information on the affidavit:

1. The applicant's personal information:
   a. Name;
   b. ~~Department~~ Customer identification number, when applicable;
   c. Residency status and number of years of residency immediately preceding application, when applicable;
2. The original license or tag information:
   a. Type of license or tag;
   b. Place of purchase;
   c. Purchase date, when available;
3. Disposition of the original tag for which a duplicate is being purchased.
4. A person applying for a duplicate tag after a harvested animal that was subsequently condemned as described under subsection (D) shall also submit the condemned meat duplicate tag authorization form issued by the Department.

E. The person shall pay the applicable duplicate fee prescribed under R12-4-102.

R12-4-215. Youth Group Two-day Fishing License

A. A youth group two-day fishing license authorizes a nonprofit organization or governmental entity as defined under subsection (C) that sponsors adult supervised activities for youth to take up to 25 youths fishing. The youth group two-day fishing license is only available from a Department office. The youth group two-day fishing license is valid for:

1. Two consecutive days,
2. The take of all aquatic wildlife, and
3. All privileges established under R12-4-207(A).

B. A nonprofit organization or governmental entity may apply for a youth group two-day fishing license at any Department office. An applicant for a youth group two-day fishing license shall be a resident. The applicant shall pay the fee required under R12-4-102 and provide the following information at the time of application:

1. The nonprofit organization's or governmental entity's:
   a. Name;
   b. Mailing address; and
   c. Telephone number, when available;
2. The applicant's:
   a. Name;
   b. Date of birth,
   c. Physical description, to include the applicant's eye color, hair color, height, and weight;
   d. ~~Department~~ Customer identification number, when applicable;
   e. Mailing address, when applicable;
   f. Physical address;
   g. Telephone number, when available; and
   h. E-mail address, when available;
3. The dates on which the nonprofit organization intends to conduct the youth group fishing activity.
4. The approximate number of youth participating in the group fishing activity.

C. For the purpose of this Section, "governmental entity" means any town, city, county, municipality, or other political subdivision of this state or any department, agency, board, commission, authority, division, office, public school, public charter school, public corporation, or other public entity of this state or any department agency bureau, or office of the federal government that is physically located within this state.

R12-4-216. Crossbow Permit

A. For the purposes of this Section, "qualified healthcare provider" means a person who is licensed to practice by the federal government, any state, or U.S. territory with one of the following credentials:

~~1. Medical Doctor,~~
~~2~~1. Doctor of Osteopathy, or
~~3~~2. ~~Doctor of Chiropractic,~~ Doctor of Orthopedic Medicine.
~~4. Nurse Practitioner, or~~

~~5. Physician Assistant.~~

"Disability" means a physical impairment that substantially limits one or more life activities, but does not include typical or natural physiological conditions associated with age or gender that may affect physical abilities.

B. When authorized under R12-4-304 as lawful for the species hunted:

1. A person who possesses a valid crossbow permit may use any of the following during an archery-only season as prescribed under R12-4-318:
   a. A crossbow, as defined under R12-4-101, ~~using~~ that is restricted to a single bowstring, capable of firing only a single arrow or single bolt with each loading and cocking action. The crossbow permit prohibits the following when using a crossbow:
      i. Magnifying or telescoping scope, red dot or other type of optic on a crossbow;
      ii. Attached accessories or built-in accessories that throw, cast or project an artificial light or electronically alter or intensify a light source for the purpose of visibly enhancing an animal image or placing a point of aim on an animal;
      iii. Any form of bipod, tripod or other device used to balance, rest or steady a crossbow when a crossbow is in use, except a permit holder with a missing upper body extremity as defined in subsection (E)(4)(a)(i) below, may use such a device. The use of illuminated reticles, illuminated sights or illuminated sight pins is not prohibited; or
   b. Any bow to be drawn and held with an assisting device.
2. A person who possesses both a valid crossbow permit and CHAMP, issued under R12-4-217, may use any of the following during an archery-only season as prescribed under R12-4-318:
   a. A crossbow, as defined under R12-4-101, ~~using~~ that is restricted to a single bowstring, capable of firing only a single arrow or single bolt with each loading and cocking action, and subject to the same prohibitions on the use of crossbow set forth in R12-4-216(B)(1)(a)(i)-(iii), except that a person with a valid CHAMP may use external structures or devices to stabilize the crossbow when in use;
   b. Any bow to be drawn and held with an assisting device; or
   c. Pre-charged pneumatic weapon, as defined under R12-4-301, using arrows or bolts and capable of firing only a single arrow or bolt at a time.

C. The crossbow permit does not exempt the permit holder from any other applicable method of take or licensing requirement. The permit holder shall be responsible for compliance with all applicable regulatory requirements.

D. ~~The crossbow permit does not expire, unless:~~ The crossbow permit expires one year from the date the medical certification portion of the application was signed by a qualified healthcare provider. A crossbow permit also expires when:

~~1. The medical certification portion of the application indicates the person has a temporary physical disability; then the crossbow permit shall be valid for a period of one year from the date the medical certification portion of the application was signed by the healthcare provider,~~

~~2~~1. The permit holder no longer meets the criteria for obtaining the crossbow permit, or

~~3~~2. The Commission revokes the person's crossbow permit or hunting privileges under A.R.S. § 17-340. A person whose crossbow permit is revoked by the Commission may petition the Commission for a rehearing as established under R12-4-607.

E. An applicant for a crossbow permit shall apply by submitting an application to the Department. The application form is furnished by the Department and is available at any Department office and online at www.azgfd.gov. A crossbow permit applicant shall provide all of the following information on the application:

1. The applicant's:
   a. Name;
   b. Date of birth;
   c. Physical description, to include the applicant's eye color, hair color, height, and weight;
   d. ~~Department~~ Customer identification number, when applicable;
   e. Residency status;
   f. Mailing address, when applicable;
   g. Physical address;
   h. Telephone number, when available; and
   i. E-mail address, when available;
2. Affirmation that:
   a. The applicant meets the requirements of this Section, and
   b. The information provided on the application is true and accurate, and
3. Applicant's signature and date.
4. The certification portion of the application shall be completed by a qualified healthcare provider. The qualified healthcare provider shall:
   a. ~~Certify the applicant has one or more of the following physical limitations:~~ Certify (1) the applicant has a disability; (2) the disability substantially limits the applicant's ability to use a standard bow and arrow for hunting; and (3) the applicant's physical limitations do not prevent the applicant from using a crossbow for hunting. The qualified healthcare provider must affirm on the certification that the applicant's substantial limitation in drawing and holding a bow at full draw is due to one or more of the following conditions:
      i. An amputation involving ~~body extremities~~ three or more fingers at the proximal interphalangeal join, wrist, elbow, shoulder that prevents stable function to use ~~conventional archery equipment~~ a bow;
      ii. ~~A spinal cord injury resulting in a disability to the lower extremities, leaving the applicant non-ambulatory;~~ Spinal cord injury affecting a hand, wrist, arm, or shoulder;
      iii. ~~A wheelchair restriction.~~ Weakness resulting from a disability of the muscles, nerves, joints or connective tissue in the shoulder, arm, wrist, hand, or back used in drawing and holding a bow at full draw. The weakness is confirmed using a reliable and appropriate functional capacity evaluation, upper extremity performance test or manual muscle testing (MMT) where the results correlate with a physical impairment substantially limiting the ability to use a conventional

bow. Using a MMT requires a score of three or worse on a scale of zero to five to qualify an applicant for a crossbow permit.

iv. ~~A neuromuscular condition that prevents the applicant from drawing and holding a bow;~~ Restricted range of motion, where range of motion is assessed using a medically-accepted goniometric evaluation system and the score correlates with a physical impairment substantially limiting the ability to use a bow.

~~v. A failed manual muscle test involving the grading of shoulder and elbow flexion and extension or an impaired range-of-motion test involving the shoulder or elbow;~~

~~vi. A combination of comparable physical disabilities resulting in the applicant's inability to draw and hold a bow;~~

~~vii. A failed functional draw test that equals 30 pounds of resistance and involves holding it for four seconds. The functional draw test may not be used to determine eligibility for the permit when it is not associated with a disability.~~

b. ~~Indicate whether the disability is temporary or permanent and, when temporary, specify the expected duration of the physical limitation; and~~ The qualified healthcare providers assess the level of impairment on the applicant's ability to use a bow in relation to other people who have no physical limitation using a bow. An applicant should be assessed on whether the applicant's disability prevents the functional equivalent of holding a bow steady in a full draw position with a minimum of 30 pounds of resistance at full draw and holding a full draw for at least four seconds. The qualified healthcare provider must include in the medical certification a narrative statement in lay terms explaining how the applicant's impairment substantially limits the individual's use of a bow based on the criteria in this subsection.

c. Provide the qualified healthcare provider's:
   i. Typed or printed name,
   ii. License number,
   iii. Business address,
   iv. Telephone number, and
   v. Signature and date;

5. A person who holds a valid ~~Challenged Hunter Access/Mobility Permit (~~CHAMP~~)~~ and who is applying for a crossbow permit is exempt from the requirements of subsection (E)(4) and shall indicate "CHAMP" in the space provided for the medical certification on the crossbow permit application.

F. In addition to the requirements listed above, at the time of application an applicant who is applying for a crossbow permit shall pay the applicable fee required under R12-4-102.

G. The Applicant shall include with the application records from the qualified healthcare provider's evaluation of applicant's disability and physical limitations. All information and documentation provided by the applicant is subject to Department verification.

H. The Department shall deny a crossbow permit when the applicant:
1. Fails to meet the criteria prescribed under this Section,
2. Fails to comply with the requirements of this Section, or
3. Provides false information during the application process.

I. The Department shall provide written notice to the applicant stating the reason for the denial. The applicant may appeal the denial to the Commission as prescribed under A.R.S. Title 41, Chapter 6, Article 10.

J. The applicant claiming a ~~temporary or permanent~~ disability and requesting a crossbow permit is responsible for all costs associated with obtaining the medical certification and documentation, re-evaluation of the information, or a second medical opinion.

K. When acting under the authority of a crossbow permit, the crossbow permit holder shall possess the permit, and exhibit the permit upon request to any peace officer, including wildlife managers and game rangers.

L. A crossbow permit holder shall not:
1. Transfer the permit to another person, or
2. Allow another person to use or possess the permit.
3. Except as authorized in R12-4-217 with the CHAMP, it is unlawful for any person to carry a cocked crossbow containing an arrow or a bolt while in or on any motorized vehicle while the vehicle engine is turned on, or the vehicle is in motion or on a road, as defined under A.R.S. § 17-101.

M. This rule is effective July 1, 2026. Any valid crossbow permit issued prior to the effective date is void on or after the effective date.

R12-4-217. Challenged Hunter Access/Mobility Permit (CHAMP)

A. For the purposes of this Section, the following definitions apply:

"~~Healthcare~~Qualified healthcare provider" means a person who is licensed to practice by the federal government, any state, or U.S. territory with one of the following credentials:

~~1. Medical Doctor,~~

~~2~~1. Doctor of Osteopathy, or

~~3~~2. ~~Doctor of Chiropractic,~~ Doctor of Orthopedic Medicine

~~4. Nurse Practitioner, or~~

~~5. Physician Assistant.~~

"Severe permanent disability" means one or more permanent physical or mental disabilities resulting from amputation of both upper and lower limbs, permanent use of wheelchair, crutches, or a walker, arthritis, autism, blindness, extensive burn injury, cancer, cerebral palsy, cystic fibrosis, intellectual disability, muscular dystrophy, musculoskeletal disorders, neurological disorders, paraplegia, pulmonary disorders, quadriplegia and other spinal cord conditions, sickle cell anemia, and end stage renal disease or a combination of permanent disabilities resulting in comparable substantial life ~~functional~~ function limitations.

B. The Challenged Hunter Access/Mobility Permit (CHAMP) allows a person with a severe permanent disability to perform one or more of the following activities:
1. Discharge a firearm or other legal hunting device from a motor vehicle if, under existing conditions:
   a. The discharge is otherwise lawful;
   b. The motor vehicle is not in motion;

c. The motor vehicle is not on any road, as defined under A.R.S. § 17-101; and
d. The motor vehicle's engine is turned off.

2. Discharge a firearm or other legal hunting device from a watercraft, as defined under R12-4-501; provided the motor is turned off, the sail furled, or both; and progress has ceased.
   a. The watercraft may be drifting as a result of current or wind, beached, moored, resting at anchor, or propelled by paddle, oars, or pole.
   b. A person may use a watercraft under power to retrieve dead or wounded wildlife.
   c. For the purposes of this subsection, "watercraft" does not include a sinkbox.
3. Use off-road locations in a motor vehicle if use is not in conflict with federal or state statutes or regulations or local ordinances or regulations and the motor vehicle is used as a place to wait for game. A person shall not use a motor vehicle to chase or pursue game.
4. Use any of the following during an archery-only season as prescribed under R12-4-318:
   a. A crossbow, as defined under R12-4-101, using a single bowstring, capable of firing only a single arrow or single bolt with each loading and cocking action, and subject to the same prohibitions on the use of a crossbow set forth in R12-4-216 (B)(1)(a)(i-iii), except that a person possessing a valid CHAMP may use external structures or devices to stabilize the crossbow when in use; or
   b. Any bow to be drawn and held with an assisting device, or
   c. Pre-charged pneumatic weapon, as defined under R12-4-301, using arrows or bolts and capable of firing only a single arrow or bolt at a time.

~~4.~~5. Designate an assistant to track and dispatch a wounded animal, and to retrieve the animal, in accordance with the requirements of this Section.

C. The CHAMP holder shall comply with all applicable regulatory requirements. A CHAMP does not exempt the permit holder from any other applicable method of take or licensing requirement.

D. The CHAMP does not expire, unless:
1. The permit holder no longer meets the criteria for obtaining the CHAMP, or
2. The Commission revokes the person's CHAMP or hunting privileges under A.R.S. § 17-340. A person whose CHAMP is revoked by the Commission may petition the Commission for a rehearing as established under R12-4-607.

E. An applicant for a CHAMP shall apply by submitting an application to the Department. The application form is furnished by the Department and is available from any Department office and on the Department's website. The CHAMP applicant shall provide all of the following information on the application:
1. The applicant's:
   a. Name;
   b. Date of birth;
   c. Physical description, to include the applicant's eye color, hair color, height, and weight;
   d. ~~Department~~ Customer identification number, when applicable;
   e. Residency status;
   f. Mailing address, when applicable;
   g. Physical address;
   h. Telephone number, when available; and
   i. E-mail address, when available;
2. Affirmation that:
   a. The applicant meets the requirements of this Section, and
   b. The information provided on the application is true and accurate, and
3. Applicant's signature and date.
4. The certification portion of the application shall be completed by a qualified healthcare provider. The qualified healthcare provider shall:
   a. Certify the applicant is a person with a severe permanent disability as defined under subsection (A), and
   b. Provide the qualified healthcare provider's:
      i. Typed or printed name,
      ii. Business address,
      iii. Telephone number, and
      iv. Signature and date;

F. In addition to the requirements listed above, at the time of application an applicant who is applying for a CHAMP shall pay the applicable fee required under R12-4-102.

G. The Applicant shall include with the application records from the qualified healthcare provider's evaluation of applicant's disability and physical limitations. All information and documentation provided by the applicant is subject to Department verification.

H. The applicant claiming a severe permanent disability and requesting a CHAMP is responsible for all costs associated with obtaining the medical certification and documentation, re-evaluation of the information, or a second medical opinion.

I. The Department shall deny a CHAMP when the applicant:
1. Fails to meet the criteria prescribed under this Section,
2. Fails to comply with the requirements of this Section, or
3. Provides false information during the application process.

J. The Department shall provide written notice to the applicant stating the reason for the denial. The applicant may appeal the denial to the Commission as prescribed in A.R.S. Title 41, Chapter 6, Article 10.

K. When acting under the authority of the CHAMP, the permit holder shall possess and exhibit the permit upon request to any peace officer, including wildlife managers and game rangers.

L. The CHAMP holder shall ensure the CHAMP vehicle placard, issued with the CHAMP, is visibly displayed on the motor vehicle or watercraft when in use.

M. The Department shall provide a CHAMP holder with a dispatch permit that allows the CHAMP holder to designate a licensed hunter as an assistant to:
1. Dispatch and retrieve an animal wounded by the CHAMP holder, or
2. Retrieve wildlife killed by the CHAMP holder.

N. The CHAMP holder shall:
1. Designate an assistant only after the animal is wounded or killed.
2. Ensure the designation on the dispatch permit is in ink and includes:
   a. A description of the animal,
   b. The assistant's name and valid Arizona hunting license number,
   c. The date and time the animal was wounded or killed, and
3. Ensure compliance with all of the following requirements:
   a. The site where the animal is wounded and the location from which tracking begins are marked so they can be identified later.
   b. The assistant possesses the dispatch permit and a valid hunting license while tracking and dispatching the wounded animal. When acting under the authority of the dispatch permit, the assistant shall possess and exhibit the dispatch permit and hunting license upon request to any peace officer, including wildlife managers and game rangers.
   c. The CHAMP holder is in the field while the assistant is tracking and dispatching the wounded animal.
   d. The assistant does not transfer the dispatch permit to anyone except that the dispatch permit may be transferred back to the CHAMP holder.
   e. Dispatch is made by a method that is lawful for the take of the particular animal in the particular season in accordance with requirements established under R12-4-304 and R12-4-318.
   f. The assistant attaches the dispatch permit to the carcass of the animal and returns the carcass to the CHAMP holder, and the tag of the CHAMP holder is affixed to the carcass.
   g. If the assistant is unsuccessful in locating and dispatching the wounded animal, the assistant returns the dispatch permit to the CHAMP holder. The CHAMP holder shall strike the name and authorization of the assistant from the dispatch permit.

O. A dispatch permit may not be reused when all spaces for designation of an assistant are filled or the dispatch permit is attached to a carcass. The CHAMP holder may request another dispatch permit from the Department if:
1. All spaces for assistants are filled,
2. The dispatch permit is lost, or
3. When the CHAMP holder needs another dispatch permit for another big game hunt.

P. A CHAMP holder shall not:
1. Transfer the permit to another person, or
2. Allow another person to use or possess the permit.

Q. This rule is effective July 1, 2026. Any valid CHAMP issued prior to the effective date is void on or after the effective date.

NOTICE OF PROPOSED RULEMAKING

TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE

CHAPTER 6. DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS INSURANCE DIVISION

[R25-154]

PREAMBLE

1. Permission to proceed with this proposed rulemaking was granted under A.R.S. § 41-1039 by the governor on:
May 23, 2025

2. Article, Part, or Section Affected (as applicable) — **Rulemaking Action**

R20-6-101	Amend
R20-6-602	Amend
R20-6-1902	Amend

3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):
Authorizing statute: A.R.S. § 20-143(A)
Implementing statutes: A.R.S. §§ 20-161 (R20-6-101); 20-255 (R20-6-602); and 20-1078 (R20-6-1902)

4. Citations to all related notices published in the *Register* that pertain to the current record of the proposed rule:
Notice of Rulemaking Docket Opening: 31 A.A.R. 2338, July 11, 2025 (*in this issue*); File Number: R25-158

5. The agency's contact person who can answer questions about the rulemaking:

Name: Mary E. Kosinski
Address: Department of Insurance and Financial Institutions
100 N. 15th Ave., Suite 261
Phoenix, AZ 85007-2630
Telephone: (602) 364-3476
Email: mary.kosinski@difi.az.gov

Website: https://difi.az.gov

6. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:

This housekeeping exercise is intended to make corrections, updates, and clarifications to the following Sections:

- Revise R20-6-101(B)(5) to correct a statutory cite, and to clarify which Director's hearings are mandatory, which are mandatory under certain circumstances, and which are discretionary;
- Update R20-6-602 to replace gender specific references in two subsections. This fulfills a commitment made in the Department's 2020 Five Year Review Report for this Article;
- Correct a statutory reference in R20-6-1902(43), and add clarifying language to the definitions for "Contracted" and "Telemedicine."

This rulemaking does not relate to a prior Five-Year Review Report for the proposed changes to Sections R20-6-101 and R20-6-1902.

7. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Department did not review and does not propose to rely on any study relevant to this rulemaking.

8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

The rulemaking does not diminish a previous grant of authority granted to the Department.

9. The preliminary summary of the economic, small business, and consumer impact:

Pursuant to A.R.S. § 41-1055(A):

- The rulemaking is not designed to change any conduct. Instead, it is necessary to make corrections, clarifications, and updates.
- Because this rulemaking is not made in response to a perceived problem caused by the conduct of licensees, it is not intended to reduce the frequency of any potentially violative conduct.
- The costs incurred by the proposed changes are not expected to impact revenues or payroll expenditures.
- The person listed in Item 10 may be contacted to submit or request additional data on the information included in the economic, small business and consumer impact statement.

10. The agency's contact person who can answer questions about the economic, small business and consumer impact statement:

Name: Mary E. Kosinski

Address: Department of Insurance and Financial Institutions
100 N. 15th Ave., Suite 261
Phoenix, AZ 85007-2630

Telephone: (602) 364-3476

Email: mary.kosinski@difi.az.gov

Website: https://difi.az.gov

11. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

No proceeding is currently scheduled. Persons who wish to request an Oral Proceeding on this rulemaking should make a written request to the person listed in item 5. Requests must be received within 30 days of the publication of this Notice of Proposed Rulemaking. A.R.S. § 41-1023(C). If requested, the Oral Proceeding will be conducted no earlier than 30 days after publication of the Notice of Oral Proceeding in the Arizona Administrative Register notifying parties of the date and time of the proceeding. All Oral Proceedings are currently being conducted virtually.

In lieu of an oral proceeding, interested parties may submit public comments to: public_comments@difi.az.gov. Please use "DOI Housekeeping 2025" in the subject line of the e-mail and identify which specific Section is being commented upon. Persons submitting public comments should be aware that any comments submitted are "public" and may be published by the Department.

If no one requests an oral proceeding, the public comment period will close 30 days after the publication date of this Notice of Proposed Rulemaking. If anyone requests an oral proceeding, the public comment period will close at 11:59 p.m. on the date of the Oral Proceeding.

12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

No other matters prescribed by statute are applicable to the Department or to any specific rule or class of rules.

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

Not applicable. None of the Sections being amended pertain to a permit.

Section R20-6-101 pertains to hearings before the Director;

Section R20-6-602 pertains to the definition for nationwide inland marine insurance; and

Section R20-6-1902 pertains to definitions for the oversight of health care services organizations.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:
No federal law is applicable to the subject of the rules.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:
Not applicable.

13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:
The rules do not incorporate any reference material as specified at A.R.S. § 41-1028.

14. The full text of the rules follows:

TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE

CHAPTER 6. DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS INSURANCE DIVISION

ARTICLE 1. RULES OF PRACTICE AND PROCEDURE BEFORE THE DIRECTOR

Section
R20-6-101. Scope of Article; Definitions

ARTICLE 6. TYPES OF INSURANCE CONTRACTS

Section
R20-6-602. Nationwide Inland Marine Definition

ARTICLE 19. HEALTH CARE SERVICES ORGANIZATIONS OVERSIGHT

Section
R20-6-1902. Definitions

ARTICLE 1. RULES OF PRACTICE AND PROCEDURE BEFORE THE DIRECTOR

R20-6-101. Scope of Article; Definitions

A. Scope.
1. Administrative Hearings. This Article and Title 20 of the Arizona Revised Statutes govern administrative hearings before the Department. The Department shall use the authority of A.R.S. Title 41, Chapter 6, Article 10, the Office of Administrative Hearings' procedural rules, and this Article to govern the initiation and conduct of administrative hearings. In an administrative hearing, special procedural requirements in state statute or another Section in this Article shall also govern the proceedings unless the requirements are inconsistent with either A.R.S. Title 41, Chapter 6, Article 10, the Office of Administrative Hearings' rules or this Article.
2. Director's Hearings. Director's Hearings are governed by this Article and Title 20 of the Arizona Revised Statutes.
3. Rulemaking and Investigative Proceedings. Except as otherwise provided in Section R20-6-160 for rulemaking petitions, this Article does not apply to rulemaking or investigative proceedings before the Director.
4. Arizona Rules of Civil Procedure. Unless expressly applicable by rule or statute, the Arizona Rules of Civil Procedure do not apply to administrative or Director's hearings.

B. Definitions. In addition to the definitions provided in A.R.S. §§ 41-1001 and 41-1092, the following terms apply to this Article:
1. "Administrative Hearing" means an appealable agency action as defined ~~by~~ under A.R.S. § 41-1092(3) or a contested case as defined ~~by~~ under A.R.S. § 41-1001(5) subject to A.R.S. § 20-161 and A.R.S. Title 41, Chapter 6, Article 10.
2. "Attorney General" means the Attorney General of Arizona, and the Attorney General's assistants or special agents.
3. "Department" means the Arizona Department of Insurance and Financial Institutions, Division of Insurance.
4. "Director" ~~has the meaning stated at~~ means the same as defined under A.R.S. § 20-102 or a Hearing Officer or any deputy, assistant, or examiner of the Director acting in the Director's name in accordance with A.R.S. § 20-150.
5. "Director's Hearing" means a hearing required by Title 20 to be conducted by the Director that is not an administrative hearing. A Director's hearing is not subject to the Arizona Open Meeting law. Director's hearings are required for, but not limited to, the following:
   a. ~~Taking comments to determine whether the cooperation among rating organizations and insurers is unfair or unreasonable or otherwise inconsistent with the provisions of Title 20 under A.R.S. § 20-365;~~ Mandatory hearings for taking comments to establish loss ratio standards and prima facie rates for consumer credit insurance under A.R.S. § 20-1621.05(B) and (C), R20-6-604.03, R20-6-604.04, and R20-6-604.05.
   b. ~~Taking comments to determine whether a reasonable degree of price competition exists at the consumer level with respect to a particular class of business or to determine an allowable percentage of increase in a proposed rate level for a particular line, subline, or class of business under A.R.S. § 20-383(B);~~ Mandatory hearings under specific circumstances for:
      i. Modification of an order issued pursuant to A.R.S. § 20-409(B) upon request.
      ii. Taking comments to establish criteria for third parties who are eligible to provide credit enhancement for separate accounts and to accept assets that are pledged under A.R.S. § 20-536.01(C).
      iii. Taking comments in order to prescribe an investment grade rating, to recognize rating agencies for purposes of investment, or to prescribe standards by which obligations of insurers who have not received an investment grade rating may be eligible for investment under A.R.S. §§ 20-544 and 20-545.

iv. Taking comments from parties affected by a proposed corporate acquisition, merger or consolidation of title insurers under A.R.S. §§ 20-1576(A)(1) and 20-1577(A).

c. ~~Taking comments to exempt rate filings or to find that a particular market is noncompetitive for purposes of rate filing under A.R.S. §§ 20-385(F) and (G);~~ Discretionary hearings for:

i. Taking comments to determine whether the cooperation among rating organizations and insurers is unfair or unreasonable or otherwise inconsistent with the provisions of Title 20 under A.R.S. § 20-365.

ii. Taking comments to determine whether a reasonable degree of price competition exists at the consumer level with respect to a particular class of business or to determine an allowable percentage of increase in a proposed rate level for a particular line, subline, or class of business under A.R.S. § 20-383(B).

iii. Taking comments to exempt rate filings or to find that a particular market is noncompetitive for purposes of rate filing under A.R.S. §§ 20-385(F) and (G).

iv. Taking comments to determine recognized surplus lines under A.R.S. § 20-409(A).

v. Taking comments regarding acquisitions within a holding company system if the acquisition would require the approval of other states under A.R.S. § 20-481.07(G).

vi. Taking comments to prescribe standards to allow investments in separate accounts to exceed established limits under A.R.S. § 20-536.01(D).

~~d. Taking comments to determine recognized surplus lines under A.R.S. § 20-409;~~

~~e. Taking comments regarding acquisitions within a holding company system if the acquisition would require the approval of other states under A.R.S. § 20-481.07(G);~~

~~f. Taking comments to establish criteria for third parties who are eligible to provide credit enhancement for separate accounts and to accept assets that are pledged under A.R.S. § 20-536.01(C);~~

~~g. Taking comments to prescribe standards to allow investments in separate accounts to exceed established limits under A.R.S. § 20-536.01(D);~~

~~h. Taking comments in order to prescribe an investment grade rating, to recognize rating agencies for purposes of investment, or to prescribe standards by which obligations of insurers who have not received an investment grade rating may be eligible for investment under A.R.S. §§ 20-544 and 20-545;~~

~~i. Taking comments from parties affected by a proposed corporate acquisition, merger or consolidation of title insurers under A.R.S. §§ 20-1576(A)(1) and 20-1577(A);~~

~~j. Taking comments to establish a loss ratio standard standards and prima facie rates for credit property and credit unemployment consumer credit insurance under A.R.S. § 10-1621.05(B);~~

~~k. Taking comments for the purpose of exempting certain forms from the application of Title 20, Chapter 6, Article 14: Cancellation or Non-Renewal of Commercial Insurance under A.R.S. § 20-1671(12); and.~~

~~l. Taking comments to establish prima facie rates for credit life and credit disability insurance under Section R20-6-604.03(A).~~

6. "Hearing Officer" means a person appointed by the Director to conduct a Director's hearing.
7. "Party" ~~has the meaning prescribed at~~ means the same as defined under A.R.S. § 41-1001(16) and includes any person or entity subject to the jurisdiction of the Department under A.R.S. Title 20.

ARTICLE 6. TYPES OF INSURANCE CONTRACTS

R20-6-602. Nationwide Inland Marine Definition

A. No change

B. Marine and/or transportation policies may cover under the following conditions:

1. No change
   a. No change
   b. No change
      i. No change
      ii. No change
      iii. No change
2. No change
   a. No change
   b. No change
3. No change
   a. No change
   b. No change
4. No change
   a. No change
   b. No change
   c. No change
   d. No change
   e. No change
   f. No change
5. No change
   a. No change
   b. No change
   c. No change
   d. No change

e. No change
f. No change
g. No change
h. No change
i. No change
j. No change
k. No change
l. No change
m. No change

6. Commercial Property Floater Risks covering property pertaining to a business, profession or occupation.
   a. No change
   b. Physicians' and Surgeons Instrument Floaters. Such policies may include coverage of such furniture, fixtures and tenant assured's interest in such improvements and betterments of buildings as are located in that portion of the premises occupied by the assured in the practice of ~~his~~ their profession.
   c. No change
   d. No change
   e. No change
   f. No change
   g. No change
   h. No change
   i. No change
      i. No change
      ii. No change
   j. No change
   k. Property in transit to and from and in custody of bailees not owned, controlled or operated by the bailor. Such policies shall not cover bailee's property at ~~his~~ their premises.
   l. No change
   m. No change
   n. No change
   o. No change
   p. No change
      i. No change
      ii. No change
      iii. No change
      iv. No change
   q. No change
   r. No change
   s. No change
      i. No change
      ii. No change
      iii. No change
      iv. No change
      v. No change
      vi. No change
      vii. No change
   t. No change
   u. No change
   v. No change
   w. No change

C. No change
1. No change
2. No change
3. No change
4. No change

ARTICLE 19. HEALTH CARE SERVICES ORGANIZATIONS OVERSIGHT

R20-6-1902. Definitions

In addition to the definitions provided in A.R.S. § 20-1051, the following terms apply to this Article:
1. No change
2. No change
3. No change
4. No change
5. No change
6. No change
7. No change

8. "Contracted" means a provider has a current written agreement or an employment arrangement with an HCSO to provide covered services to an enrollee, or a current written agreement or an employment arrangement with a contracted provider to provide covered services to an enrollee. "Contracted" does not include a letter of intent or a letter of agreement.
9. No change
10. No change
11. No change
12. "Director" ~~has the meaning stated at~~ means the same as defined under A.R.S. § 20-102.
13. No change
14. "Emergency services" ~~has the meaning stated at~~ means the same as defined under A.R.S. § 20-2801(3).
15. No change
16. No change
17. No change
18. No change
19. No change
20. No change
21. No change
22. No change
23. No change
24. No change
25. No change
26. No change
27. No change
28. No change
29. No change
30. No change
31. No change
32. No change
33. No change
34. No change
35. No change
36. No change
37. No change
38. No change
39. No change
40. No change
41. No change
42. No change
43. "Telemedicine" has the same meaning as "telehealth" ~~found at A.R.S. § 20-1057(G)~~. Both "telemedicine" and "telehealth" mean the same as defined under A.R.S. § 20-1057.13(G).
44. No change
45. No change
46. No change
47. No change

NOTICE OF PROPOSED RULEMAKING

TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE

CHAPTER 6. DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS INSURANCE DIVISION

[R25-153]

PREAMBLE

1. Permission to proceed with this proposed rulemaking was granted under A.R.S. § 41-1039 by the governor on:
September 26, 2024

2. Article, Part, or Section Affected (as applicable)	**Rulemaking Action**
R20-6-708, Table A	Amend
Article 25	New Article
R20-6-2501	New Section
R20-6-2502	New Section
R20-6-2503	New Section
R20-6-2504	New Section
R20-6-2505	New Section
R20-6-2506	New Section

R20-6-2507	New Section
Table 1	New Table

3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. § 20-143

Implementing statute: A.R.S. § 20-3333(Q)

4. Citations to all related notices published in the *Register* that pertain to the current record of the proposed rule:

Notice of Rulemaking Docket Opening: 30 A.A.R. 3069, Issue Date: October 18, 2024, Issue Number: 42, File Number: R24-202

Notice of Informal Meeting on Open Rulemaking Docket: 30 A.A.R. 3333, Issue Date: November 8, 2024, Issue Number: 45, File Number: M24-61

Notice of Informal Meeting on Open Rulemaking Docket: 31 A.A.R. 737, Issue Date: March 7, 2025, Issue Number: 10, File Number: M25-17

5. The agency's contact person who can answer questions about the rulemaking:

Name:	Mary E. Kosinski
Title:	Asst. Regulatory Legal Affairs Officer
Address:	Department of Insurance and Financial Institutions 100 N. 15th Ave., Suite 261 Phoenix, AZ 85007-2630
Telephone:	(602) 364-3476
Email:	mary.kosinski@difi.az.gov
Website:	https://difi.az.gov/

6. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:

The subject matter of these rules is the licensing of Pharmacy Benefit Managers.by the Insurance Division of the Department of Insurance and Financial Institutions ("Department"). This rulemaking will augment statutory sections A.R.S. §§ 20-3333 and 20-3334 and add Pharmacy Benefit Managers to the Division's Licensing Time-frames table.

The Department opened the Docket on this rulemaking on October 18, 2024 (30 A.A.R. 3069, October 18, 2024) which allowed it to conduct informal meetings with various groups of stakeholders. A.R.S. § 41-1023(A). The Department met with the Pharmaceutical Care Management Association (an association of Pharmacy Benefit Managers), and various groups of pharmacists. The Department reached out to 3 consumer protection groups (2 national and 1 local) but did not receive any response from these groups so did not meet with them. The proposed rules in this rulemaking reflect the suggestions made to the Department during these meetings to improve its original draft.

The Department is proposing to add a new Article 25 to Title 20, Chapter 6 titled "Pharmacy Benefit Managers." The new Article will consist of 7 rules and 1 table governing the licensing of Pharmacy Benefit Managers:

R20-6-2501 (Definitions) will adopt definitions already in statute and define additional terms used in the Article.

R20-6-2502 (Application for Certificate of Authority; Fee Required) notifies an applicant of the process required to obtain a Certificate of Authority ("certificate") and the fee for obtaining the certificate. It also outlines the process for an applicant to remedy the disqualifications to licensure mandated under A.R.S. § 20-3333(C). Lastly, it requires the Department to notify the applicant of the term of the certificate.

R20-6-2503 (Notice of Modification) clarifies that a notice of modification required to be filed pursuant to A.R.S. § 20-3333(D) is only applicable to Pharmacy Benefit Managers already holding a certificate with the Department.

R20-6-2504 (Term of Certificate of Authority) notifies a licensee of the term of the certificate and when it expires.

R20-6-2505 (Renewal of Certificate of Authority; Fee Required) notifies a licensee of the process required to renew an existing certificate. The rule also warns a Pharmacy Benefit Manager whose certificate has expired that it must cease operating as a Pharmacy Benefit Manager and must reapply for, and be granted, a new certificate before it can operate as a Pharmacy Benefit Manager.

R20-6-2506 (Utilization Review) notifies a Pharmacy Benefit Manager that contracts for utilization review of the requirement to use either a utilization review agent certified by the Department or one exempt from certification under the law. Further, the rule notifies a Pharmacy Benefit Manager that performs utilization review of the duties required of it and that it must comply with the appeals processes requited of a utilization review agent.

R20-6-2507 (Records Retention; Compliance Costs) requires a Pharmacy Benefit Manager to keep accurate records for the periods defined in Table 1. Further, the rule notifies the Pharmacy Benefit Manager that the Department may use otherwise confidential records in a proceeding against the Pharmacy Benefit Manager and that the licensee must bear the cost of review of their records by the Department.

Table 1 (Pharmacy Benefit Manager Retention Schedule) notifies a Pharmacy Benefit Manager of the records it must keep for review by the Department and the retention length for keeping those records.

In addition, the license type for a Pharmacy Benefit Manager is being added to the Licensing Time-frames table (R20-6-708, Table A) in this rulemaking.

This rulemaking does not relate to a Five-Year Review Report.

7. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

Not applicable.

8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable.

9. The preliminary summary of the economic, small business, and consumer impact:

Pursuant to A.R.S. § 41-1055(A):

- The rulemaking is not designed to change any conduct. Instead, it is necessary to notify applicants and licensees of their obligations for applying for, renewing and maintaining their license.
- Because this rulemaking is not made in response to a perceived problem caused by the conduct of any parties, it is not intended to reduce the frequency of any potentially violative conduct.
- The costs incurred by the proposed changes are expected to have minimal impact on revenues and payroll expenditures because of the limited number of applicants expected to be seeking licensure.
- The person listed in Item 10 may be contacted to submit or request additional information regarding the economic, small business, and consumer impact statement. Applicants and licensees are encouraged to provide the Department with information about any economic impact to their businesses created by the rulemaking.

10. The agency's contact person who can answer questions about the economic, small business and consumer impact statement:

Name:	Mary E. Kosinski
Title:	Asst. Regulatory Legal Affairs Officer
Address:	Department of Insurance and Financial Institutions 100 N. 15th Ave., Suite 261 Phoenix, AZ 85007-2630
Telephone:	(602) 364-3476
Email:	mary.kosinski@difi.az.gov
Website:	https://difi.az.gov/

11. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

No proceeding is currently scheduled. Persons who wish to request an Oral Proceeding on this rulemaking should make a written request to the person listed in item 5. Requests must be received within 30 days of the publication of this Notice of Proposed Rulemaking. A.R.S. § 41-1023(C). If requested, the Oral Proceeding will be conducted no earlier than 30 days after publication of the Notice of Oral Proceeding in the Arizona Administrative Register notifying parties of the date and time of the proceeding. All Oral Proceedings are currently being conducted virtually.

In lieu of an oral proceeding, interested parties may submit public comments to: public_comments@difi.az.gov. Please use "DOI Pharmacy Benefit Manager Licensing Rules" in the subject line of the e-mail. Persons submitting public comments should be aware that any comments submitted are "public" and may be published by the Department.

If no one requests an oral proceeding, the public comment period will close 30 days after the publication date of this Notice of Proposed Rulemaking. If anyone requests an oral proceeding, the public comment period will close at 11:59 p.m. on the date of the Oral Proceeding.

12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

No other matters prescribed by statute are applicable to the Department or to any specific rule or class of rules.

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

Not applicable. A Pharmacy Benefit Manager is granted a Certificate of Authority pursuant to A.R.S. § 20-3333.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

Not applicable.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

Not applicable.

13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

Not applicable.

14. The full text of the rules follows:

TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE

CHAPTER 6. DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS INSURANCE DIVISION

ARTICLE 7. LICENSING PROVISIONS AND PROCEDURES

Section
R20-6-708. Licensing Time-frames
Table A. Licensing Time-frames

ARTICLE 25. PHARMACY BENEFIT MANAGERS

Section
R20-6-2501. Definitions
R20-6-2502. Application for Certificate of Authority; Fee Required
R20-6-2503. Notice of Modification
R20-6-2504. Term of Certificate of Authority
R20-6-2505. Renewal of the Certificate of Authority; Fee Required
R20-6-2506. Utilization Review
R20-6-2507. Records Retention; Compliance Costs
Table 1. Pharmacy Benefit Manager Retention Schedule

ARTICLE 7. LICENSING PROVISIONS AND PROCEDURES

R20-6-708. Licensing Time-frames

A. No change
1. No change
2. No change

B. No change

C. No change
1. No change
2. No change
3. No change

D. No change
1. No change
2. No change
3. No change

E. No change

F. No change

Table A. Licensing Time-frames

License	Relevant A.R.S.	Administrative Completeness	Substantive Review	Overall Time-frame
Insurance				
Captive Insurer	§ 20-1098.01	150	30*	180
Certificate of Authority	§ 20-216	210	90*	300
Certificate of Exemption	§ 20-401.05	92	30	122
Health Care Services Organization	§ 20-1052	210	90	300
Hospital, Medical, Dental, and Optometric Service Corporation	§ 20-825	210	90	300
Life Care Provider Permit	§ 20-1803	60*	30*	90
Life Settlement Provider	§ 20-3202	60	60	120
Mechanical Reimbursement Reinsurer	§ 20-1096.04	210	90	300
Prepaid Dental Plan Organization	§ 20-1004	210	90	300
Prepaid Legal Insurer*	§ 20-1097.02	45	15	60*
Qualifying Surplus Lines Insurer	§ 20-413	45	30	75
Reinsurance Intermediary	§ 20-486.01	120	60	180
Insurance Professional				
Adjuster	§ 20-321.01	60	60	120
Bail Bond Agent	§ 20-340.01	60	60	120
Certified Application Counselor	§ 20-336.04	60	60	120
Life Settlement Broker	§ 20-3202	60	60	120
Limited Travel Agent	§ 20-3553	60	60	120
Navigator	§ 20-336.03	60	60	120
Nonresident Insurance Producer (Agent/Broker)	§ 20-287	60	60	120
Portable Electronics Insurance Adjuster	§ 20-321.01	60	60	120

Portable Electronics Insurance Vendor	§ 20-1693.01	60	60	120
Rental Car Agent	§ 20-331	60	60	120
Resident Insurance Producer (Agent/Broker)	§ 20-285	60	60	120
Risk Management Consultant	§ 20-331.01	60	60	120
Self-service Storage Agents	§ 20-332	60	60	120
Surplus Lines Broker	§ 20-411	60	60	120
Temporary License	§ 20-294	60	60	120
Title Insurance Agent	§ 20-1580	60	60	120
Variable Contract Agent	§ 20-2662	60	60	120
Other				
Pharmacy Benefit Manager*	§20-3333	30	90*	120
Rating Organization*	§ 20-361	30	30	60*
Rate Service Organization	§ 20-389	60	60	120
Third Party Administrator	§ 20-485.12	45	45	90
Senior Residential Entrance Fee Contracts: Provider Registration	§ 44-6952	60	60	120
Service Company	§ 20-1095.01	30	30	60
Utilization Review Agent	§ 20-2505	30	90	120
Risk Retention Groups				
Risk Retention Group (Foreign)	§ 20-2403	60	0	60
Risk Purchasing Groups	§ 20-2407	30	30	60

* Statutory time-frames

ARTICLE 25. PHARMACY BENEFIT MANAGERS

R20-6-2501. Definitions

The following terms apply to this Article:

"Certificate of Good Standing" as used in A.R.S. § 20-3333(B)(1)(f) means the same as defined under A.R.S. § 10-128.
"Department" means the Arizona Department of Insurance and Financial Institutions, Insurance Division.
"Director of the Department" means the same as defined under A.R.S. § 20-102.
"Health plan" as used in A.R.S. § 20-3333(R) means the same as "Health care plan" as defined under A.R.S. § 20-3151.
"Insurer" means the same as defined under A.R.S. § 20-3321(5).
"Material modification" as used in A.R.S. § 20-3333(D) means a change to any of the information required to be submitted to the Department under A.R.S. § 20-3333(B)(1)(a) through (e), a notification that the licensee is no longer in good standing with the Arizona Corporation Commission, or a change in the description of the Pharmacy Benefit Manager's services, facilities, or personnel.
"Overall time frame" means the same as defined under A.R.S. § 41-1072(2).
"Pay the fee" means to submit to the Department the fee required to accompany the initial application for or renewal of the Pharmacy Benefit Manager's certificate of authority. The initial application fee is $500 and the renewal fee is $500. In lieu of direct payment of the fee, the applicant or licensee may submit proof of payment of the fee. All fees are non-refundable.
"Person" means the same as defined under A.R.S. § 20-105.
"Pharmacy Benefit Manager" means the same as defined under A.R.S. § 20-3321(10).
"Records" as used in Section R20-6-2507 includes records, books, documentation, and other data.
"Utilization review plan" means the same as defined under A.R.S. § 20-2501(A)(17).

R20-6-2502. Application for Certificate of Authority; Fee Required

A. A person seeking to be licensed as a Pharmacy Benefit Manager in this state shall file an application for a certificate of authority on a form prescribed by the Director of the Department which shall be transmitted for review and approval through an electronic online system as required by the Director of the Department under A.R.S. § 20-3333(B). The applicant shall pay the fee to the Department at the time it submits its application.

B. Beginning January 1, 2025, a person shall not operate as a Pharmacy Benefit Manager in this state without a certificate of authority.

C. The Department deems an application as filed with the Director of the Department when the Department receives a completed application and the required fee from an applicant.

D. The Director of the Department may require, at the Director's discretion, that an applicant for a certificate of authority under A.R.S. § 20-3333(A) submit information that discloses biographical, employment and business financial history, criminal activity, fingerprints, or any other information that relates to the ability to operate as a Pharmacy Benefit Manager for principals, principal officers, and individuals responsible for the conduct of the activities of the Pharmacy Benefit Manager if necessary for the protection of residents of this state.

E. An applicant shall have a period to remedy disqualifications to licensure pursuant to A.R.S. § 20-3333(C).

1. If the Director of the Department determines that an applicant is not qualified to be licensed after the overall time frame for the application is complete, the Director of the Department shall provide a written notification to the applicant of the Director's intent to deny the application that specifies the disqualifications to licensure.
2. The applicant shall have 60 days from the date of the Director's notification to inform the Director of the Department that it has remedied the disqualifications.

3. If the applicant fails to respond to the Director of the Department within 60 days, or the Director of the Department determines that the applicant has failed to remedy the disqualifications to licensure, the Director of the Department shall deny the application.
4. The Director of the Department's denial of the application is an appealable agency action within the meaning of A.R.S. 41-1092(4).

F. The Department shall notify an applicant of the approval of the certificate of authority and the effective date and expiration date of the certificate. No paper certificate is required.

R20-6-2503. Notice of Modification

The Notice of Modification required to be filed with the Director of the Department under A.R.S. § 20-3333(D) applies to a Pharmacy Benefit Manager who holds a certificate of authority issued by the Department. The Notice of Modification shall be filed on a form and in the manner approved by the Director of the Department.

R20-6-2504. Term of Certificate of Authority

A. The Pharmacy Benefit Manager certificate of authority is a biennial certificate. If the Pharmacy Benefit Manager fails to timely file a complete renewal application and pay the fee to the Director of the Department, the certificate of authority of a Pharmacy Benefit Manager expires on the last day of the 24th month after the effective date of the initial approval of the certificate of authority or any renewal.

B. If not timely renewed, a certificate of authority may expire during any period of suspension or restriction under A.R.S. § 20-3333(G).

R20-6-2505. Renewal of the Certificate of Authority; Fee Required

A. To renew its certificate of authority, a Pharmacy Benefit Manager shall file a renewal application on a form prescribed by the Director of the Department and pay the fee on or before the expiration of the Pharmacy Benefit Manager's certificate of authority. The form shall be transmitted for review through an electronic online system as required by the Director of the Department.

B. The Director of the Department may require, at the Director's discretion, that an applicant for renewal of a certificate of authority under A.R.S. § 20-3333(K) submit information that discloses biographical, employment and business financial history, criminal activity, fingerprints, or any other information that relates to the ability to operate as a Pharmacy Benefit Manager for principals, principal officers, and individuals responsible for the conduct of the activities of the Pharmacy Benefit Manager if necessary for the protection of residents of this state.

C. The Department deems a renewal application as filed with the Director of the Department when the Director of the Department receives the complete renewal application and the renewal fee.

D. Upon expiration of a certificate of authority that is not timely renewed, a Pharmacy Benefit Manager shall cease its operations as a Pharmacy Benefit Manager.

E. A Pharmacy Benefit Manager whose certificate of authority has expired shall file a new application for a certificate of authority to the Director of the Department pursuant to A.R.S. § 20-3333(B) and R20-6-2502.

R20-6-2506. Utilization Review

A. A Pharmacy Benefit Manager may contract with a utilization review agent certified by the Department pursuant to A.R.S. § 20-2504 or exempt from certification under A.R.S. § 20-2502(B) to perform utilization review for pharmaceutical claims on behalf of the Pharmacy Benefit Manager.

B. If a Pharmacy Benefit Manager performs utilization review for a health care insurer for pharmaceutical claims, the Pharmacy Benefit Manager shall perform the duties required of a certified utilization review agent including:
1. Conducting utilization review in accordance with the utilization review plan that is on file with the Department;
2. Adopting a utilization review plan that includes a summary description of review guidelines, protocols and procedures, standards and criteria to be used in evaluating pharmaceutical services covered by the health care insurer, and the provisions by which patients or pharmacies may seek reconsideration or appeal of the decisions made by the Pharmacy Benefit Manager that complies with Arizona law;
3. Ensuring that the personnel conducting utilization review have current licenses that are in good standing and without restrictions from a state professional licensing agency in the United States;
4. Having policies and procedures to ensure that a representative of the Pharmacy Benefit Manager that conducts utilization review is available:
   a. To receive and send notices and acknowledgments of appeals and is reasonably accessible to patients and pharmacies in this state and the Department; and
   b. To receive phone calls for 40 hours each week during normal business hours;
5. Having policies and procedures to ensure that the personnel conducting utilization review will follow all applicable state and federal laws to protect the confidentiality of individual medical records; and
6. Having a copy of the materials or a description of the procedure designed to inform patients and pharmacies, as appropriate, of the requirements of the utilization review plan.

C. If a Pharmacy Benefit Manager performs utilization review for a health care insurer for pharmaceutical claims, the Pharmacy Benefit Manager shall comply with the appeals processes of a utilization review agent as described under A.R.S. Title 20, Chapter 15, Article 2, including:
1. Adopting processes for the review, reconsideration, and appeal of denials of pharmaceutical claims consistent with the Pharmacy Benefit Manager's utilization review plan;
2. Providing at least the following levels of review, as applicable:
   a. An expedited review and expedited appeal pursuant to A.R.S. § 20-2534;
   b. An initial appeal pursuant to A.R.S. § 20-2535; and
   c. An external independent review pursuant to A.R.S. § 20-2537;

3. Providing a separate information packet complying with A.R.S. § 20-2533(H) that is approved by the Director of the Department with the member's policy, evidence of coverage, or similar document at the time of coverage or renewal of coverage;
4. Notification to the insured, at the time of a denial, of their right to appeal and whether a voluntary internal appeal is available to them pursuant to A.R.S. § 20-2536; and
5. Ensuring that for an issue of medical necessity or appropriateness, not whether a claim or service is covered, the initial appeal process is performed as prescribed by A.R.S. § 20-2535.

R20-6-2507. Records Retention; Compliance Costs

A. Every Pharmacy Benefit Manager shall keep its corporate and business records as originals or as copies of the originals made by reproduction methods that accurately preserve the records.

B. Notwithstanding the confidential nature of a pharmacy benefit manager's information, the Director of the Department may use the information in any proceedings instituted against the pharmacy benefit manager by the Department.

C. The Pharmacy Benefit Manager shall keep its records for the periods required in Table 1. Pharmacy Benefit Manager Retention Schedule. This Section does not prohibit record retention for longer periods than required. This Section does not prohibit a Pharmacy Benefit Manager from keeping any other type of record not required.

D. A Pharmacy Benefit Manager shall pay the costs of review of its records to determine compliance by the Department.

Table 1. Pharmacy Benefit Manager Retention Schedule

Type of Record	Retention Period (Years)
Pharmacy Benefit Plan	5
Utilization Review Plan	Continuous

NOTICES OF FINAL RULEMAKING

This section of the *Arizona Administrative Register* contains Notices of Final Rulemaking. Final rules have been through the regular rulemaking process as defined in the Administrative Procedures Act. These rules were either approved by the Governor's Regulatory Review Council or the Attorney General's Office. Certificates of Approval are on file with the Office.

The final published notice includes a preamble and text of the rules as filed by the agency.

Economic Impact Statements are not published but are filed by the agency with their final notice.

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the final rules should be addressed to the agency that promulgated them. Refer to item #5 to contact the person charged with the rulemaking.

The codified version of these rules will be published in the *Arizona Administrative Code*.

NOTICE OF FINAL RULEMAKING

TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE

CHAPTER 4. DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS FINANCIAL INSTITUTIONS

[R25-149]

PREAMBLE

1. Permission to proceed with this final rulemaking was granted under A.R.S. § 41-1039 by the governor on:

March 17, 2025

2. Article, Part, or Section Affected (as applicable) — **Rulemaking Action**

R20-4-903	Amend
R20-4-906	Amend
R20-4-907	Amend
R20-4-911	Amend
R20-4-912	Amend
R20-4-915	Amend
R20-4-916	Amend
R20-4-917	Amend
R20-4-919	Amend
R20-4-920	Amend
R20-4-921	Amend
R20-4-922	Amend
R20-4-923	Amend
R20-4-924	Amend
R20-4-925	Amend
R20-4-926	Amend
R20-4-927	Amend
R20-4-928	Amend

3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. § A.R.S. § 6-123(2)

Implementing statutes: A.R.S. §§ 6-126, 6-901, 6-902, 6-902.01, 6-903, 6-904, 6-906, 6-907, 6-908, 6-909, 6-912, and 6-913

4. The effective date of the rule:

August 17, 2025

a. If the agency selected a date earlier than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):

Not applicable

b. If the agency selected a date later than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason the agency selected the later effective date as provided in A.R.S. § 41-1032(B):

Not applicable

5. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the current record of the final rule:

Notice of Rulemaking Docket Opening: 30 A.A.R 3836, Issue Date: December 20, 2024, Issue Number: 51, File Number: R24-276

Notice of Proposed Rulemaking: 30 A.A.R. 3813, Issue Date: December 20, 2024, Issue Number: 51, File Number: R24-271

6. The agency's contact person who can answer questions about the rulemaking:

Name:	Mary E. Kosinski
Title:	Asst. Regulatory Legal Affairs Officer
Address:	Department of Insurance and Financial Institutions 100 N. 15th Ave., Suite 261 Phoenix, AZ 85007-2630
Tel:	(602) 364-3476
Email:	mary.kosinski@difi.az.gov
Website:	https://difi.az.gov

7. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:

The Arizona Department of Insurance and Financial Institutions – Financial Institutions Division ("Department") is proposing changes to A.A.C. Title 20, Chapter 4, Article 9 – Mortgage Brokers. The changes the Department is proposing will reflect the structural change to the former Department of Financial Institutions which merged with the Department of Insurance to form the Department of Insurance and Financial Institutions (the "new agency"), on July 1, 2020. The former Department of Financial Institutions became a division of the new agency.

As a result of the merger, the new agency made statutory changes to eliminate the position of Superintendent. Instead, the Director of the new agency assumed those duties. This structural change necessitated replacing references to "Superintendent" with "Director" throughout the Article.

When reviewing the rules in the Article, the Department also endeavored to modernize the current rules since the most recent rulemaking for Article 9 was in 2012 (with most Sections last updated in 1999). The Department is also modifying and adding experience requirements, removing some fees while re-establishing one other to comport with a statutory requirement, correcting statutory and regulation cites, allowing the use of electronic recordkeeping, and adding to documentation requirements. This rulemaking addresses the changes suggested by the Department in its June, 2024 Five-Year Review Report.

The rules augment the correlating statutory sections regulating these entities found at Title 6, A.R.S. §§ 6-903 through 6-928.

This rulemaking amends Article 9 (Mortgage Brokers) as follows:

- R20-4-903 (Exemption for an Entity Regulated by an Agency of this State, Other States, or by the United States) will be amended to correct punctuation and to add clarifying language.
- R20-4-906 (Equivalent and Related Experience) will be amended to correct statutory references, modify experience requirements, and to impose a 1-Year requirement on the types of experience required in subsection (A) when an applicant is attempting to qualify under subsection (B).
- R20-4-907 (Course of Study) will be amended to replace "Superintendent" with "Director," correct punctuation, correct statutory cites, and cite to federal regulations.
- R20-4-911 (Qualified Replacement Responsible Individual) will be amended to correct statutory cites and to replace "Superintendent" with "Director."
- R20-4-912 (Restrictions on the Term of a Cash Alternative) will be amended to replace "Superintendent" with "Director," and to correct a statutory cite.
- R20-4-915 (Requirements for a Person Intended to Oversee a Branch Office) will be amended to clarify that a person intended to oversee a branch office as referenced in the statute is a "branch office manager."
- R20-4-916 (Notification of Change of Address) will be amended to comport with the language of A.R.S. § 6-904(G) and (H), and remove the fee requirement.
- R20-4-917 (Recordkeeping Requirements) will be amended to allow records to be kept electronically and outside the state without the Director's approval, to add clarifying language, to add an additional document required to be kept in a mortgage loan file, to correct federal statutory cites, to replace "Superintendent" with "Director," and to correct punctuation.
- R20-4-919 (Deposit of Monies Received by a Mortgage Broker) will be amended to remove antiquated language.
- R20-4-920 (Requirements for the Testing Committee) will be amended to replace "Superintendent" with "Director," and to remove an unnecessary notification.
- R20-4-921 (Authorizations to Complete Blank Spaces) will be amended to correct a statutory citation.
- R20-4-922 (Determining Loan Amounts) will be amended to add Oxford commas for clarity.
- R20-4-923 (Delay or Cause Delay) will be amended to add clarifying language.
- R20-4-924 (Receipt and Disbursement of Monies) will be amended to add clarifying language.
- R20-4-925 (Waiver of Examination and Course of Study) will be amended to replace "Superintendent" with "Director."
- R20-4-926 (Acquisition of Additional Interest in Licensee by Majority Owner) will be amended to replace "Superintendent" with "Director," and to add clarifying language.
- R20-4-927 (Conversion to Commercial Mortgage Broker License) will be amended to remove gender specific terminology.
- R20-4-928 (Certificate of Exemption Application and Renewal) will be amended to remove "and Renewal" from the Section title, to add a statutory cite, and to remove unnecessary fees.

8. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

Not applicable

9. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

10. A summary of the economic, small business, and consumer impact:

Pursuant to A.R.S. § 41-1055(A)(1):

The rulemaking is not designed to change any conduct. Instead, it is necessary to reflect the new structure of the Department, to modernize and clarify some of the Sections, and to bring the rules more in line with current Federal requirements.

Pursuant to A.R.S. § 41-1055(A)(2):

The compliance costs incurred by Mortgage Brokers are minimal and not expected to impact revenues or payroll expenditures.

Pursuant to A.R.S. § 41-1055(A)(3):

An economic, small business and consumer impact summary accompanies the submission of the Final Rulemaking to the Governor's Regulatory Review Council.

11. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:

The Department removed "and Renewal" from the Section title of R20-4-928 to better reflect that the rule is about the application fee only. The Department does not consider this a substantive change within the meaning of A.R.S. § 41-1025(B)

12. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:

Not applicable

13. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

Not applicable

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The rules do not require a permit and do not use a general permit. A.R.S. § 6-903 requires a Mortgage Broker to obtain a traditional license before engaging in the business of a Mortgage Broker.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

A number of federal laws are applicable to the subject of the rules.

For Article 9. Mortgage Brokers, the following federal laws are applicable:

R20-4-907. Course of Study (the rule is not more stringent than the federal laws)

Subsection (C)(2)(f): Federal Housing Administration, Veterans Administration, Federal National Mortgage Association, Federal Home Loan Mortgage Corporation requirements;

Subsection (C)(2)(l): Real Estate Settlement Procedures Act, 12 U.S.C. 2601 through 2617, and Consumer Credit Protection Act, 15 U.S.C. 1601 et seq., and the regulations promulgated thereunder.

R20-4-917. Recordkeeping Requirements (the rule is not more stringent than the federal laws)

Subsection (B)(6)(e): The Consumer Credit Protection Act (15 U.S.C. §§ 1601 et seq.) disclosure requirements, the Real Estate Settlement Procedures Act (12 U.S.C. §§ 2601 through 2617) disclosure requirements, and the regulations promulgated thereunder, and disclosures required by the TILA-RESPA Integrated Disclosure Rule (12 CFR 1024 and 1026);

Subsection (B)(6)(g): HUD-1 settlement statement, and final truth-in-lending disclosure.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

Not applicable

14. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

Not applicable

15. Whether the rule was previously made, amended or repealed as an emergency rule. If so, cite the notice published in the *Register* as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:

Not applicable

16. The full text of the rules follows:

TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE

CHAPTER 4. DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS FINANCIAL INSTITUTIONS

ARTICLE 9. MORTGAGE BROKERS

Section

R20-4-903. Exemption for an Entity Regulated by an Agency of this State, Other States, or by the United States
R20-4-906. Equivalent and Related Experience
R20-4-907. Course of Study
R20-4-911. Qualified Replacement Responsible Individual
R20-4-912. Restrictions on the Term of a Cash Alternative
R20-4-915. Requirements for a Person Intended to Oversee a Branch Office
R20-4-916. Notification of Change of Address
R20-4-917. Recordkeeping Requirements
R20-4-919. Deposit of Monies Received by a Mortgage Broker
R20-4-920. Requirements for the Testing Committee
R20-4-921. Authorizations to Complete Blank Spaces
R20-4-922. Determining Loan Amounts
R20-4-923. Delay or Cause Delay
R20-4-924. Receipt and Disbursement of Monies
R20-4-925. Waiver of Examination and Course of Study
R20-4-926. Acquisition of Additional Interest in Licensee by Majority Owner
R20-4-927. Conversion to Commercial Mortgage Broker License
R20-4-928. Certificate of Exemption Application ~~and Renewal~~

ARTICLE 9. MORTGAGE BROKERS

R20-4-903. Exemption for an Entity Regulated by an Agency of this State, Other States, or by the United States

A. The exemption under A.R.S. § 6-902 (A)(1) only applies to a person whose offers to make or negotiate a mortgage loan, as defined in A.R.S. § 6-901, and all mortgage loans made or negotiated by the person, are regulated directly by an agency of this state, any other state, or the United States.

B. The required regulation of the transactions listed in subsection (A) includes:

1. Rules governing a claimant's accounting and recordkeeping practices~~;~~,
2. The authority to examine a claimant's books and records relating to its mortgage lending activities~~;~~, and
3. The ability to place a claimant ~~in a~~ into receivership or conservatorship with regard to the claimant's mortgage lending activities.

R20-4-906. Equivalent and Related Experience

A. An applicant may satisfy the three years' experience requirement of A.R.S. § 6-903 by the types of lending-related experience listed in this subsection. The Department counts each month in the following types of work experience toward the three years required for a mortgage broker license, under ~~A.R.S. § 6-903(B),~~ A.R.S. § 6-903(C) or (D), or as a responsible individual, under ~~A.R.S. § 6-903(E).~~ A.R.S. § 6-903(H). The Department counts a fractional month of experience, at least 15 days long, as a full month.

1. Mortgage broker ~~with an Arizona license~~, responsible individual, or branch manager for a licensee;
2. Mortgage banker ~~with an Arizona license~~, responsible individual, or branch manager for a licensee;
3. Loan ~~officer~~ originator with responsibility primarily for loans secured by lien interests on real property;
4. Lender's branch manager with responsibility primarily for loans secured by lien interests on real property;
5. ~~Mortgage broker with license from another state, or responsible individual for a mortgage broker licensed in another state;~~ Attorney licensed in Arizona;
6. ~~Mortgage banker with license from another state, or responsible individual for a mortgage banker licensed in another state;~~ Manager or supervisor of loan originators;
7. ~~Attorney certified by any state as a real estate specialist.~~Mortgage processor, mortgage underwriter, or mortgage quality control professional with responsibility primarily for loans secured by lien interests on real property;
8. Executive, supervisor, or policy maker involved in administering, or operating a mortgage-related business; or
9. Regulator, examiner, investigator, compliance expert, or auditor whose primary function is the review of mortgage companies, and their compliance processes whose experience is determined to be sufficient by the Department.

B. An applicant with insufficient actual experience of the types listed in subsection (A) may satisfy the remainder of the three years' experience requirement of A.R.S. § 6-903 by the types of related experience listed in this subsection. The Department counts each month in the following types of work experience according to the ratio listed below, of actual experience to equivalent experience, credited towards qualifying for a license, under ~~A.R.S. § 6-903(B),~~ A.R.S. § 6-903(C) or (D), or as a responsible individual, under ~~A.R.S. § 6-903(E).~~ A.R.S. § 6-903(H). The Department counts a fractional month of experience, at least 15 days long, as a full month. An applicant receives credit in only one area listed and for not more than three years' actual experience. The remaining years of experience required to qualify for a license shall be obtained from types of work experiences listed in subsection (A). A minimum of one year of experience must be obtained from the types of work experience listed in subsection (A).

1. Attorney ~~without state bar certified real estate specialty~~ not licensed in Arizona but licensed in another U.S. state or territory...3:2
2. Paralegal with experience in real estate matters...3:2
3. ~~Loan underwriter~~Mortgage broker or mortgage banker from another state without a license...3:2
4. ~~Mortgage broker or mortgage banker from another state without license~~ Real estate broker with an Arizona license or license from a state with substantially equivalent licensing requirements...3:2
5. ~~Real estate broker with an Arizona license or license from a state with substantially equivalent licensing requirements~~ Escrow officer...3:2
6. ~~Escrow officer~~Trust officer with a title company...3:2
7. ~~Trust officer with a title company...3:2~~ Title officer with a title company. . . 3:1.5
8. ~~Executive, supervisor, or policy maker involved in administering or operating a mortgage related business~~ Lender's branch manager with responsibility primarily for loans not secured by lien interests on real property...3:1.5
9. ~~Title officer with a title company...3:1.5~~ Loan originator with responsibility primarily for loans not secured by lien interests on real property. . . 3:1
10. ~~Real estate broker, not qualified under subsection (B)(5)...3:1.5~~
11. ~~Loanprocessorwithresponsibilityprimarily forloanssecuredbylieninterestson real property...3:1.5~~
12. ~~Lender's branch manager with responsibility primarily for loans not secured by lien interests on real property...3:1.5~~
13. ~~Real property salesperson with an Arizona license or a license from a state with substantially equivalent licensing requirements...3:1~~
14. ~~Loan officer, with responsibility primarily for loans not secured by lien interests on real property...3:1~~

R20-4-907. Course of Study

A. A course of study shall be satisfactorily completed if the applicant has:
1. Attended at least 24 hours of class, and
2. Received a passing grade on the final exam.

B. A course of study shall meet all the following requirements:
1. The following items shall be submitted by the school to the ~~Superintendent~~ Director on an annual basis:
   a. Course materials~~;~~,
   b. Class content outlines on a session-by-session basis~~;~~, and
   c. Sample final exam.
2. The following subjects shall be taught:
   a. Mortgage, deed of trust, and security agreement law;
   b. Negotiable instrument law;
   c. Mortgage broker law;
   d. Escrow agent law;
   e. Recordkeeping requirements of R20-4-917;
   f. Federal Housing Administration, Veterans Administration, Federal National Mortgage Association, Federal Home Loan Mortgage Corporation requirements;
   g. Ethics;
   h. Principal and agent law;
   i. Arithmetical computations common to mortgage brokerage;
   j. Real estate lending principles;
   k. Real estate law;
   l. Real Estate Settlement Procedures Act, 12 U.S.C. 2601 through 2617, and Consumer Credit Protection Act, ~~15 U.S.C. 1601 through 1666j;~~ 15 U.S.C. 1601 et seq., and the regulations promulgated thereunder; and
   m. Securities law.
3. A final exam shall be given that substantially tests the student's knowledge of the subjects described above.

C. The ~~Superintendent~~ Director shall review the items submitted to the Department and determine within 60 days of submission whether the proposed course of study is satisfactory. The ~~Superintendent~~ Director may audit a course of study at any time. If the ~~Superintendent~~ Director finds that a course of study is unsatisfactory, or if the ~~Superintendent~~ Director has not received the course materials, course content outlines, and sample final exam within the prior 13 months, the ~~Superintendent~~ Director may withhold or suspend approval.

R20-4-911. Qualified Replacement Responsible Individual

If a licensee chooses an individual to serve as a replacement responsible individual and that individual has not satisfactorily completed the course of study required by ~~A.R.S. § 6-903(B)(2)~~ A.R.S. § 6-903(C)(2) or passed the mortgage broker examination required by ~~A.R.S. § 6-903(B)(3),~~ A.R.S. § 6-903(C)(3), and is not given the opportunity to do so prior to the expiration of the 90-day time period provided in ~~A.R.S. § 6-903(F),~~ A.R.S. § 6-903(I), but otherwise meets the requirements of ~~A.R.S. § 6-903(B),~~ A.R.S. §§ 6-903(C), 6-903(D) or 6-903(H), the individual shall be qualified as a replacement responsible individual until the next course of study has been held and, if the person successfully completes the course of study, until the mortgage broker examination next following the completion of the course of study has been held and the results of the examination are available. If the individual fails to satisfactorily complete the course of study or fails the mortgage broker examination, the licensee shall then have a new 90-day time period within which to place itself under the active management of a qualified responsible individual. Notwithstanding the foregoing, a licensee shall have no longer than 180 days within

which to place the license under the active management of a qualified responsible individual unless the ~~Superintendent~~ Director grants additional time to the licensee for good cause shown.

R20-4-912. Restrictions on the Term of a Cash Alternative

If an applicant or a licensee elects to place with the ~~Superintendent~~ Director a deposit in the form of a certificate of deposit or investment certificate, in addition to the requirements of ~~A.R.S. § 6-903(J),~~ A.R.S. § 6-903(M), the certificate of deposit or investment certificate shall not be renewable, nor expire, earlier than 12 months from the date of issuance.

R20-4-915. Requirements for a Person Intended to Oversee a Branch Office

~~A~~ The person designated as a branch office manager to oversee the operations of a branch office, as specified in A.R.S. § 6-904(H), shall be knowledgeable about the branch activities of the licensee, shall supervise compliance by the branch with applicable law and rules, and shall have sufficient authority to ensure such compliance. One person may oversee more than one branch.

R20-4-916. Notification of Change of Address

If the address of the principal place of business or of any branch office is changed, the licensee shall immediately notify the ~~Superintendent~~ Director of the change ~~within five business days after the occurrence of the change~~ of location. ~~Together with such notice, the licensee shall provide to the Department the license for the office changing addresses together with the fee required by A.R.S. § 6-126 for changing the address of an office.~~ A copy of ~~such~~ the license shall continue to be displayed at the place of business until a new license is issued.

R20-4-917. Recordkeeping Requirements

A. ~~The Superintendent shall approve a licensee's use of a computer or mechanical recordkeeping system if the licensee gives the Superintendent advanced written notice that it intends to do so. The Department shall not require a licensee to keep a written copy of the~~ A licensee may keep its records as electronic records if the licensee can generate all information and complete and legible copies required by this Section ~~in a timely manner~~ within the timeframe set by the Department for examination or other purposes. ~~A licensee may add, delete, modify, or customize an approved computer or mechanical recordkeeping system's hardware or software components. When requested, or in response to a written notice of an examination, a licensee shall report to the Superintendent any alteration in the approved system's fundamental character, medium, or function if the alteration changes:~~

~~1. Any approved computer or mechanical system back to a paper-based system;~~

~~2. An approved mechanical system to a computer system; or~~

~~3. An approved computer system to a mechanical system.~~

B. In addition to any statutory requirement regarding records, a record maintained by a mortgage broker shall include the following:

1. A list of all executed loan applications or executed fee agreements that includes the following information:
   a. Applicant's name;
   b. Application date;
   c. Amount of initial loan request;
   d. Final disposition date;
   e. Disposition (funded, denied, etc.); and
   f. Name of loan officer;
2. A record, such as a cash receipts journal, of all money received in connection with a mortgage loan including:
   a. Payor's name;
   b. Date received;
   c. Amount; and
   d. Receipt's purpose, including identification of a related loan, if any;
3. A sequential listing of checks written for each bank account relating to the mortgage broker business, such as a cash disbursement journal, including:
   a. Payee's name;
   b. Amount;
   c. Date; and
   d. Payment's purpose, including identification of a related loan, if any;
4. Bank account activity source documents for the mortgage broker business including receipted deposit tickets, numbered receipts for cash, bank account statements, paid checks, and bank advices~~.~~;
5. A trust subsidiary ledger for each borrower that deposits trust funds showing:
   a. Borrower's name or co-borrowers' names;
   b. Loan number, if any;
   c. Amount received;
   d. Purpose for the amount received;
   e. Date received;
   f. Date deposited into trust account;
   g. Amount disbursed~~;~~ from trust account;
   h. Date disbursed~~;~~ from trust account;
   i. Disbursement's payee and purpose; and

j. Balance;

6. A file for each application for a mortgage loan containing:
   a. The agreement with the customer concerning the broker's services, whether as a loan application, fee agreement, or both;
   b. Document showing the application's final disposition, such as a settlement statement, closing disclosure, or a denial or withdrawal letter;
   c. Correspondence sent, received, or both by the licensee;
   d. Contract, agreement, and escrow instructions to or with any depository;
   e. Documents showing compliance, to the extent applicable, with the Consumer Credit Protection Act's ~~(15 U.S.C. §§ 1601 through 1666j)~~ (15 U.S.C. §§ 1601 et seq.) disclosure requirements, ~~and~~ the Real Estate Settlement Procedures Act's (12 U.S.C. §§ 2601 through 2617) disclosure requirements, ~~to the extent applicable;~~ and the regulations promulgated thereunder such as copies of the loan estimates and closing disclosures required by the TILA-RESPA Integrated Disclosure Rule (12 CFR 1024 and 1026);
   f. If the loan is funded by an investor that is not a financial institution, an enterprise, a licensed real estate broker or salesman, a profit sharing or pension trust or, an insurance company, the documents provided to the investor under A.R.S. § 6-907, a copy of the executed note and executed deed of trust or mortgage, and any assignment by the broker to the investor;
   g. If the loan is closed in the mortgage broker's name, a copy of all closing documents including: closing instructions, any applicable rescission notice, HUD-1 settlement statement, closing disclosure, final truth-in-lending disclosure, executed note, executed deed of trust or mortgage, and each assignment of beneficial interest by the licensee; and
   h. Itemized list of all fees taken in advance including appraisal fee, credit report fee, and application fee;
7. Samples of every piece of advertising relating to the mortgage broker's business in Arizona;
8. Copies of governmental or regulatory compliance reviews;
9. If the licensee is not a natural person, a file containing:
   a. Organizational documents for the entity;
   b. Minutes;
   c. A record, ~~such as~~ including a stock or ownership transfer ledger, showing ownership of all proportional equity interests in the licensee, ascertainable as of any given record date; and
   d. Annual report, if required by law;
10. If the licensee or anyone directly or indirectly owning more than 20% of the licensee has a felony conviction, a copy of the judgment or other record of conviction;
11. If the licensee or anyone directly or indirectly owning more than 20% of the licensee has, in the previous seven years, been named a defendant in any civil suit, a copy of the complaint, any answer filed by the licensee, and any judgment, dismissal, or other final order disposing of the action; and
12. If the ~~Superintendent has granted approval to maintain~~ licensee maintains records outside this state, the specific address where the records are kept, and a person's name to contact for them.

C. If 10 or fewer transactions have occurred during the prior calendar quarter, a licensee shall reconcile and update all records specified in subsection (B) at least once each calendar quarter. A licensee shall reconcile and update all records specified in subsection (B) monthly if more than 10 transactions occurred during the prior calendar quarter. In addition to reconciling each trust bank account, a licensee shall verify each trust balance to each trust subsidiary ledger at each reconciliation.

D. A licensee shall retain the documents described in subsections (B)(1) and (B)(6) for the length of time provided in A.R.S. § 6-906. For the purposes of A.R.S. § 6-906, a mortgage loan's closing date, on a loan application that did not result in the making of a loan, is either:
   1. The date a licensee receives a written cancellation notice from an applicant; or
   2. The date a licensee mails written notice to an applicant that the application has been denied, as required by federal law.

E. A licensee shall maintain all records described in this Section, and not included in subsection (D), for at least two years.

R20-4-919. Deposit of Monies Received by a Mortgage Broker

All monies received by a mortgage broker which are required to be deposited into an escrow account with an escrow agent licensed pursuant to A.R.S. § 6-801 et seq. shall be ~~so~~ deposited by 5:00 p.m. on the next business day after receipt of the funds.

R20-4-920. Requirements for the Testing Committee

A. No licensee shall submit more than five names as nominees to serve on the testing committee. The resumes of the nominees shall be included. The names and resumes shall be submitted to the ~~Superintendent~~ Director no later than August 1 of each even-numbered year. On or before September 30 of each even-numbered year, the ~~Superintendent~~ Director shall appoint four persons from the nominees submitted and one employee of the Department as members of the testing committee. A person may serve more than one two-year term. If the ~~Superintendent~~ Director does not find at least four persons from the list to be acceptable, the ~~Superintendent~~ Director shall solicit additional nominees from licensees.

B. In the event of a vacancy on the testing committee, the remaining members of the committee shall submit a list of nominees within 45 days of the vacancy to the ~~Superintendent~~ Director containing not less than two nominees for each vacancy. The ~~Superintendent~~ Director shall then appoint a nominee from the list to fill each vacancy for the remainder of the term. If the ~~Superintendent~~ Director does not find at least one person from the list to be acceptable to fill each vacancy, the remaining members of the committee shall, upon request, submit an additional list of nominees to the ~~Superintendent.~~ Director.

C. The ~~Superintendent~~ Director may remove any member of the committee at any time without cause.

D. The committee shall review and revise questions on the test not less than once every two years. All questions used on the test shall first be submitted to and approved by the ~~Superintendent.~~ Director.

E. ~~The committee shall inform the applicant of the applicant's score on the test in writing within 30 days of administration of the test.~~

F. The handbook for mortgage brokers shall be updated by the committee as necessary to reflect changes in the law.

R20-4-921. Authorizations to Complete Blank Spaces

An authorization, under ~~A.R.S. § 6-909,~~ A.R.S. § 6-909(A), allowing a licensee or escrow agent to complete certain blank spaces in a document after it is signed by a party to the transaction shall:

1. Specifically identify the document and the blank spaces to be completed;
2. Be in writing, dated, and signed by the authorizing parties; and
3. Contain the following notice, conspicuously printed on its face: YOUR SIGNATURE BELOW AUTHORIZES YOUR MORTGAGE BROKER OR ESCROW AGENT TO FILL IN SPACES YOU LEFT BLANK IN SPECIFIED LOAN DOCUMENTS YOU ARE ABOUT TO SIGN OR MAY HAVE ALREADY SIGNED. UNDER STATE LAW YOU CAN GIVE THIS AUTHORITY, BUT YOU ARE NOT REQUIRED TO DO SO. YOU CAN REFUSE TO SIGN ANY DOCUMENTS UNTIL ALL BLANKS ARE COMPLETELY FILLED IN.

R20-4-922. Determining Loan Amounts

In determining the amount of a mortgage loan pursuant to A.R.S. § 6-909(D) or (G), only the principal amount of the loan shall be considered and not any points, interest, finance charges, insurance premiums of any kind, compensation paid to third parties, or compensation retained by the mortgage broker, or its agents.

R20-4-923. Delay or Cause Delay

A mortgage broker shall not be deemed to have delayed or to have caused delay if such delay occurs due to events outside the control of the mortgage broker.

R20-4-924. Receipt and Disbursement of Monies

A licensee is not receiving or disbursing monies in servicing or arranging a mortgage loan if the licensee, at the request of the lender or servicing agent, on an infrequent basis, assists in the collection or servicing of a mortgage loan by receiving from the borrower a check or draft payable to the lender or servicing agent and forwarding such instrument to the lender or servicing agent not later than 5:00 p.m. on the next business day after receipt by the licensee. For the purposes of this rule, an infrequent basis means, with regard to a particular loan, for not more than 25% of the regularly scheduled payments of the mortgage loan during ~~any~~ a calendar year.

R20-4-925. Waiver of Examination and Course of Study

The ~~Superintendent's~~ Director's waiver of the examination and course of study requirement under A.R.S. § 6-903 extends to a person designated as a responsible individual by either an applicant or a licensee under A.R.S. § 6-903.

R20-4-926. Acquisition of Additional Interest in Licensee by Majority Owner

A person ~~that owns~~ owning 51% or more of a licensee's outstanding voting equity interests, and ~~that~~ who acquires the power to vote additional fractional equity interests, shall deliver written notice of the acquisition to the ~~Superintendent.~~ Director. The person shall deliver the notice before completing the acquisition. Within 10 days after completing the acquisition, the person shall deliver documentation evidencing the acquisition to the ~~Superintendent.~~ Director.

R20-4-927. Conversion to Commercial Mortgage Broker License

A. Under A.R.S. § 6-913, a mortgage broker licensee shall only be permitted to convert ~~his or her~~ the license to a commercial mortgage broker license during the renewal period established by A.R.S. § 6-904.

B. The licensee seeking conversion shall not be subject to the 12 continuing education units as prescribed by A.R.S. § 6-903(V).

C. The licensee seeking conversion shall submit:

1. The renewal fees required by A.R.S. § 6-126 for commercial mortgage brokers, and
2. The information and documents required by A.R.S. § 6-903.

R20-4-928. Certificate of Exemption Application ~~and Renewal~~

~~A.~~ Under ~~A.R.S. § 6-912(C),~~ A.R.S. §§ 6-902.01(C) and 6-912(C), upon application for a certificate of exemption, an applicant shall pay a nonrefundable fee of $300.

~~B.~~ ~~A person holding a certificate of exemption shall pay a renewal fee of $150.00 on or before December 31 of each year. Certificates of exemption not renewed by December 31 are automatically suspended, and the certificate holder shall not act as a registered exempt person until the certificate is renewed or a new certificate is issued pursuant to A.R.S. § 6-912. While the certificate is suspended, the licensed loan originators sponsored by the registered exempt person may not transact business as a loan originator. A registered exempt person may renew an automatically suspended certificate by paying the renewal fee plus $25.00 for each day after December 31 that a renewal fee is not received by the Superintendent and applying for renewal as prescribed by the Superintendent. A certificate of exemption that is not renewed by January 31 expires. A certificate of exemption shall not be granted to the holder of an expired certificate of exemption except as provided in A.R.S. § 6-912 for the issuance of an original certificate of exemption. Each licensed loan originator that is sponsored by a registered exempt person whose certificate has expired shall have his or her their license placed on inactive status and shall not transact business in Arizona as a loan originator pursuant to A.R.S. § 6-991.02(M).~~

~~C.~~ ~~In addition to the application fee, on issuance of the certificate of exemption, the Superintendent shall collect the first year's renewal fee prorated according to the number of quarters remaining until the date of the next annual renewal, as required by A.R.S. § 6-126(B).~~

~~D.~~ ~~The following fees are payable to the Department:~~

~~1. To change the name of the federally chartered savings bank on a certificate of exemption: $250.00.~~
~~2. To change the responsible individual for the exempt entity: $250.00.~~
~~3. To issue a duplicate or replace a lost certificate of exemption: $100.00.~~
~~4. To change the address of the federally chartered savings bank on a certificate of exemption: $50.00.~~

NOTICE OF FINAL RULEMAKING

TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE

CHAPTER 4. DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS FINANCIAL INSTITUTIONS

[R25-150]

PREAMBLE

1. Permission to proceed with this final rulemaking was granted under A.R.S. § 41-1039 by the governor on:
March 17, 2025

2. Article, Part, or Section Affected (as applicable) | **Rulemaking Action**

R20-4-1301	Amend
R20-4-1302	Amend
R20-4-1303	Amend
R20-4-1304	Amend
R20-4-1305	Amend

3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):
Authorizing statute: A.R.S. § A.R.S. § 6-123(2)
Implementing statutes: A.R.S. §§ 6-126, 6-991.01, 6-991.02, 6-991.03, 6-991.04, and 6-991.07

4. The effective date of the rule:
August 17, 2025

a. If the agency selected a date earlier than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):
Not applicable

b. If the agency selected a date later than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason the agency selected the later effective date as provided in A.R.S. § 41-1032(B):
Not applicable

5. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the current record of the final rule:
Notice of Rulemaking Docket Opening: 30 A.A.R 3837, Issue Date: December 20, 2024, Issue Number: 51, File Number: R24-277

Notice of Proposed Rulemaking: 30 A.A.R. 3821, Issue Date: December 20, 2024, Issue Number: 51, File Number: R24-272

6. The agency's contact person who can answer questions about the rulemaking:

Name:	Mary E. Kosinski
Title:	Asst. Regulatory Legal Affairs Officer
Address:	Department of Insurance and Financial Institutions 100 N. 15th Ave., Suite 261 Phoenix, AZ 85007-2630
Tel:	(602) 364-3476
Email:	mary.kosinski@difi.az.gov
Website:	https://difi.az.gov

7. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:
The Arizona Department of Insurance and Financial Institutions – Financial Institutions Division ("Department") is proposing changes to A.A.C. Title 20, Chapter 4, Article 13 – Loan Originators. The changes the Department is proposing will reflect the structural change to the former Department of Financial Institutions which merged with the Department of Insurance to form the Department of Insurance and Financial Institutions (the "new agency"), on July 1, 2020. The former Department of Financial Institutions became a division of the new agency.

As a result of the merger, the new agency made statutory changes to eliminate the position of Superintendent. Instead, the Director of the new agency assumed those duties. This structural change necessitated replacing references to "Superintendent" with "Director" throughout the Article.

When reviewing the rules in the Article, the Department also endeavored to modernize the current rules since the most recent

rulemaking for Article 13 was in 2011. The Department is also correcting Federal statutory cites. This rulemaking does not relate to a Five-Year Review Report.

The rules augment the correlating statutory sections regulating these entities found at Title 6, A.R.S. §§ 6-991 through 6-991.22.

This rulemaking amends Article 13 (Loan Originators) as follows:

- R20-4-1301 (Scope of Article) will be amended to add clarifying language.
- R20-4-1302 (Course of Study to Qualify for Licensure) will be amended to correct statutory references, to replace "Superintendent" with "Director," and to remove unnecessary capitalization.
- R20-4-1303 (Financial Responsibility) will be amended to replace "Superintendent" with "Director," and to update statutory references.
- R20-4-1304 (Fees) will be amended to correct statutory references and to add clarifying language.
- R20-4-1305 (Practice and Procedure) will be amended to replace "Superintendent" with "Director."

8. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

Not applicable

9. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

10. A summary of the economic, small business, and consumer impact:

Pursuant to A.R.S. § 41-1055(A)(1):

The rulemaking is not designed to change any conduct. Instead, it is necessary to reflect the new structure of the Department, to modernize and clarify some of the Sections, and to correct some statutory references.

Pursuant to A.R.S. § 41-1055(A)(2):

The compliance costs incurred by Loan Originators are minimal and not expected to impact revenues or payroll expenditures.

Pursuant to A.R.S. § 41-1055(A)(3):

An economic, small business and consumer impact summary accompanies the submission of the Final Rulemaking to the Governor's Regulatory Review Council.

11. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:

The Department has made a change to R20-4-1304(1) to correct the statutory reference from A.R.S. § 6-126(3), which was incorrect in the Notice of Proposed Rulemaking, to A.R.S. § 6-126(26).

The Department has made a change to R20-4-1304(3) to correct the statutory reference in the original code subsection from A.R.S. § 6-126(C)(12), which does not exist in the statute, to A.R.S. § 6-126(D)(10).

The Department has made a change to R20-4-1304(4) to correct the statutory reference in the original code subsection from A.R.S. § 6-126(A)(34), which does not exist in the statute, to A.R.S. § 6-126(A)(27).

The Department does not consider these substantive changes within the meaning of A.R.S. § 41-1025(B) because 1) persons affected by the rule would have understood the reference to the fee statute (A.R.S. § 6-126); 2) the subject matter is the same (a fee); and 3) the effects should be minimal because the fee statute was cited correctly, only the subsection was cited incorrectly.

12. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:

Not applicable

13. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

Not applicable

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The rules do not require a permit and do not use a general permit. A.R.S. § 6-991.03 requires a Loan Originator to obtain a traditional license before engaging in the business of a Loan Originator.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

A number of federal laws are applicable to the subject of the rules.

For Article 13. Loan Originators, the following federal laws are applicable:

R20-4-1302. Course of Study to Qualify for Licensure (the rule is not more stringent than the federal laws)

Subsections (A) and (B)(2): The Secure and Fair Enforcement for Mortgage Licensing Act of 2008 (12 U.S.C. §§ 5101 through 5117);

Subsections (C)(1) and (D)(1): Federal law and regulation, including the Real Estate Settlement Procedures Act ("RESPA"), the Truth in Lending Act ("TILA"), federal privacy laws, fair lending laws including the Equal Credit Opportunity Act ("ECOA") and the Fair Credit Reporting Act ("FCRA").

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:
Not applicable

14. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:
Not applicable

15. Whether the rule was previously made, amended or repealed as an emergency rule. If so, cite the notice published in the *Register* as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:
The Department previously adopted Article 13 as an emergency rule, effective April 27, 2010 (16 A.A.R. 839, May 21, 2010). The Department renewed Article 13 as an emergency rule, effective October 24, 2010 (16 A.A.R. 2165, November 12, 2010). The emergency rule expired on April 21, 2011.

The Department adopted the current Article 13 effective April 22, 2011 (16 A.A.R. 2401, December 10, 2010).

16. The full text of the rules follows:

TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE

CHAPTER 4. DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS FINANCIAL INSTITUTIONS

ARTICLE 13. LOAN ORIGINATORS

Section
R20-4-1301. Scope of Article
R20-4-1302. Course of Study to Qualify for Licensure
R20-4-1303. Financial Responsibility
R20-4-1304. Fees
R20-4-1305. Practice and Procedure

ARTICLE 13. LOAN ORIGINATORS

R20-4-1301. Scope of Article
This Article applies to~~:~~
~~1. All loan originating activities of any person licensed under Arizona law as a loan originator, and~~
~~2. The conduct of~~ any applicant for or holder of a loan originator license.

R20-4-1302. Course of Study to Qualify for Licensure
A. The ~~Superintendent~~ Director shall, under the authority of A.R.S. § 6-991.03(B)(1), approve a course of study that includes only those courses reviewed and approved by the Nationwide Mortgage Licensing System pursuant to A.R.S. § 6-991.03(E) and (F) and the Secure and Fair Enforcement for Mortgage Licensing Act of 2008 ~~(P.L. 110-289; 122 Stat. 2810; 12 U.S.C. 5101 through 5116).~~ (12 U.S.C. §§ 5101 through 5117).

B. An applicant for a loan originator license shall satisfactorily complete a course of study by:
1. Attending at least 20 hours of instruction, and
2. Receiving a passing grade of not less than ~~75 percent~~ 75% correct answers on ~~both~~ the ~~national and Arizona state~~ exam required by A.R.S. § 6-991.07 and the Secure and Fair Enforcement for Mortgage Licensing Act of 2008 ~~(P.L. 110-289; 122 Stat. 2810; 12 U.S.C. 5101 through 5116).~~ (12 U.S.C. §§ 5101 through 5117).

C. A pre-licensure course of study shall include 20 hours of instruction in the following areas:
1. Federal law and regulation, including the Real Estate Settlement Procedures Act ("RESPA"), the Truth in Lending Act ("TILA"), good faith estimates, federal privacy laws, fair lending laws including the Equal Credit Opportunity Act ("ECOA") and the Fair Credit Reporting Act ("FCRA"): ~~Three~~ three hours;
2. Business ethics, including fraud, consumer protection laws, and fair lending practices: ~~Three~~ three hours;
3. Non-traditional mortgage product lending standards: ~~Two~~ two hours;
4. Arizona real estate and mortgage lending law, including loan origination and processing, Arizona law relating to agency and the obligations between principal and agent, and state privacy laws: ~~Four~~ four hours; and
5. The remaining eight hours should be comprised of instruction in:
   a. The obligations between principal and agent;
   b. The statutory and regulatory laws governing loan originators;
   c. Arithmetical computations common to mortgage lending;
   d. Principles of real estate lending;
   e. The purpose and effect of mortgages, deeds of trust, and security agreements;
   f. The terms and conditions of conforming and non-conforming residential mortgages;
   g. Real estate appraisal; and
   h. The principles of appraisal independence.

D. A continuing education course of study shall include eight hours of instruction each year in the following areas:
1. Federal law and regulation, including the Real Estate Settlement Procedures Act ("RESPA"), the Truth in Lending Act ("TILA"), good faith estimates, federal privacy laws, fair lending laws including the Equal Credit Opportunity Act ("ECOA") and the Fair Credit Reporting Act ("FCRA"): ~~Three~~ three hours;

2. Business ethics, including fraud, consumer protection laws, and fair lending practices: ~~Two~~ two hours;
3. Non-traditional mortgage product lending standards: ~~Two~~ two hours; and
4. Arizona real estate and mortgage lending law, including loan origination and processing, Arizona law relating to agency and the obligations between principal and agent, and state privacy laws: ~~One~~ one hour.

R20-4-1303. Financial Responsibility

An applicant for a loan originator license shall demonstrate financial responsibility, as required by A.R.S. § 6-991.03, by either:

1. Depositing with the ~~Superintendent~~ Director a bond as specified by ~~A.R.S. § 6-991.03(B)(4)~~ A.R.S. § 6-991.03(B)(6) and paying to the ~~Superintendent,~~ Director, for deposit into the Mortgage Recovery Fund, the sum of $100 at the time of filing an original or a renewal application pursuant to ~~A.R.S. § 6-991.03(B)(6);~~ A.R.S. § 6-991.03(B)(8); or
2. Depositing with the ~~Superintendent~~ Director a bond as specified by ~~A.R.S. § 6-991.03(B)(4)~~ A.R.S. § 6-991.03(B)(6) and depositing with the ~~Superintendent~~ Director a bond as specified by ~~A.R.S. § 6-991.03(B)(6).~~ A.R.S. § 6-991.03(B)(8).

R20-4-1304. Fees

Loan Originator program fees:

1. Initial application fee (non-refundable) pursuant to ~~A.R.S. § 6-126(A)(33):~~ A.R.S. § 6-126(A)(26): $350,
2. Initial license fee (prorated according to the number of quarters remaining until the next annual renewal) pursuant to A.R.S. § 6-126(B): $150,
3. Annual renewal fee pursuant to ~~A.R.S. § 6-126(C)(12) or fee for change to inactive status pursuant to A.R.S. §§ 6-126(C)(13) and 6-991.04(G)~~ A.R.S. § 6-126(D)(10)~~:~~ $150,
4. Transfer license to a new employer ~~fee~~ pursuant to ~~A.R.S. § 6-126(A)(34)~~ A.R.S. § 6-126(A)(27): $50,
5. Change of residence address ~~fee~~ pursuant to A.R.S. § 6-991.04(J): $50,
6. Examination ~~fee~~ pursuant to A.R.S. § 6-991.07(E): the amount charged by the vendor,
7. Late renewal ~~fee~~ pursuant to A.R.S. § 6-991.04(E): $25 per day after the filing deadline.

R20-4-1305. Practice and Procedure

Loan originators shall follow the practice outlined in 20 A.A.C. 4, Article 12 (Rules of Practice and Procedure Before the ~~Superintendent)~~ Director) for challenging information the ~~Superintendent~~ Director enters into the Nationwide Mortgage Licensing System and Registry pursuant to A.R.S. §§ 6-991.03(K) and 6-991.04(M).

NOTICE OF FINAL RULEMAKING

TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE

CHAPTER 4. DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS FINANCIAL INSTITUTIONS

[R25-151]

PREAMBLE

1. Permission to proceed with this final rulemaking was granted under A.R.S. § 41-1039 by the governor on:

March 17, 2025

2. Article, Part, or Section Affected (as applicable) — **Rulemaking Action**

R20-4-1801	Amend
R20-4-1802	Amend
R20-4-1803	Amend
R20-4-1804	Amend
R20-4-1805	Amend
R20-4-1806	Amend
R20-4-1807	Amend
R20-4-1808	Amend
R20-4-1809	Amend
R20-4-1810	Amend
R20-4-1811	Amend
R20-4-1812	Amend
R20-4-1813	Amend

3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. § 6-123(2)

Implementing statutes: A.R.S. §§ 6-941, 6-942, 6-943, 6-944, 6-946, 6-947, and 6-949

4. The effective date of the rule:

August 17, 2025

a. If the agency selected a date earlier than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):

Not applicable

b. If the agency selected a date later than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason the agency selected the later effective date as provided in A.R.S. § 41-1032(B):

Not applicable

5. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the current record of the final rule:

Notice of Rulemaking Docket Opening: 30 A.A.R 3838, Issue Date: December 20, 2024, Issue Number: 51, File Number: R24-278

Notice of Proposed Rulemaking: 30 A.A.R. 3824, Issue Date: December 20, 2024, Issue Number: 51, File Number: R24-273

6. The agency's contact person who can answer questions about the rulemaking:

Name:	Mary E. Kosinski
Title:	Asst. Regulatory Legal Affairs Officer
Address:	Department of Insurance and Financial Institutions 100 N. 15th Ave., Suite 261 Phoenix, AZ 85007-2630
Tel:	(602)364-3476
Email:	mary.kosinski@difi.az.gov
Website:	https://difi.az.gov

7. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:

The Arizona Department of Insurance and Financial Institutions – Financial Institutions Division ("Department") is proposing changes to A.A.C. Title 20, Chapter 4, Article 18 – Mortgage Bankers. The changes the Department is proposing will reflect the structural change to the former Department of Financial Institutions which merged with the Department of Insurance to form the Department of Insurance and Financial Institutions (the "new agency"), on July 1, 2020. The former Department of Financial Institutions became a division of the new agency.

As a result of the merger, the new agency made statutory changes to eliminate the position of Superintendent. Instead, the Director of the new agency assumed those duties. This structural change necessitated replacing references to "Superintendent" with "Director" throughout the Article.

When reviewing the rules in the Article, the Department also endeavored to modernize the current rules since the most recent rulemaking for Article 18 was in 2012 (with most Sections last updated in 1999). The Department is also modifying and adding experience requirements, removing some fees, updating federal statutory cites, allowing the use of electronic recordkeeping, and adding to documentation requirements.

The rules augment the correlating statutory sections regulating these entities found at Title 6, A.R.S. §§ 6-941 through 6-949.

This rulemaking amends Article 18 (Mortgage Bankers) as follows:

- R20-4-1801 (Exemption for an Entity Regulated by an Agency of this State, Other States, or by the United States) will be amended to add clarifying language.
- R20-4-1802 (Equivalent and Related Experience) will be amended to add clarifying language to subsection (B), to modify and add to experience requirements and to impose a 1-Year requirement on the types of experience required in subsection (A) when an applicant is attempting to qualify under subsection (B).
- R20-4-1803 (Restrictions on the Term of a Cash Alternative to a Surety Bond) will be amended to replace "Superintendent" with "Director."
- R20-4-1804 (Requirements for a Person Intended to Oversee a Branch Office) will be amended to clarify that a person intended to oversee a branch office as referenced in the statute is a "branch office manager."
- R20-4-1805 (Notification of Change of Address) will be amended to comport with the language of A.R.S. § 6-944(D) and (E), and to remove the fee.
- R20-4-1806 (Recordkeeping Requirements) will be amended to allow records to be kept electronically, to add clarifying language, to add an additional document required to be kept in a mortgage banking loan file, to correct and update federal statutory cites, to remove Director's approval to maintain records outside the State, to replace "Superintendent" with "Director," and to correct punctuation.
- R20-4-1807 (Providing Copies of Records) will be amended to revise the list of documents a mortgage banker must provide to a mortgage broker.
- R20-4-1808 (Authorization to Complete Blank Spaces) will be amended to correct a statutory citation and punctuation.
- R20-4-1809 (Determining Loan Amounts) will be amended to add a "§" symbol and an Oxford comma for readability.
- R20-4-1810 (Delay or Cause Delay) will be amended to add clarifying language.
- R20-4-1811 (Impound Account) will be amended to conform to rule-writing standards.
- R20-4-1812 (Acquisition of Additional Interest in Licensee by Majority Owner) will be amended to replace "Superintendent" with "Director," and to add clarifying language.
- R20-4-1813 (Conversion to Mortgage Broker License) will be amended to clarify the order of submissions, and to correct a statutory citation.

The changes proposed in this rulemaking relate to the Department's June, 2024 Five-Year Review Report for this Article.

8. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

Not applicable

9. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

10. A summary of the economic, small business, and consumer impact:

Pursuant to A.R.S. § 41-1055(A)(1):

The rulemaking is not designed to change any conduct. Instead, it is necessary to reflect the new structure of the Department, to modernize and clarify some of the Sections, and to bring the rules more in line with current Federal requirements.

Pursuant to A.R.S. § 41-1055(A)(2):

The compliance costs incurred by Mortgage Bankers are expected to be minimal and not expected to impact revenues or payroll expenditures.

Pursuant to A.R.S. § 41-1055(A)(3):

An economic, small business and consumer impact summary accompanies the submission of the Final Rulemaking to the Governor's Regulatory Review Council.

11. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:

Not applicable

12. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:

Not applicable

13. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

Not applicable

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The rules do not require a permit and do not use a general permit. A.R.S. § 6-943 requires a Mortgage Banker to obtain a traditional license before engaging in the business of a Mortgage Banker.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

A number of federal laws are applicable to the subject of the rules.

For Article 18. Mortgage Bankers, the following federal laws are applicable:

R20-4-1806. Recordkeeping Requirements (the rule is not more stringent than the federal laws)

Subsection (B)(6)(e): The Consumer Credit Protection Act (15 U.S.C. §§ 1601 et seq.) disclosure requirements, the Real Estate Settlement Procedures Act (12 U.S.C. §§ 2601 through 2617) disclosure requirements, and the regulations promulgated thereunder, and the TILA-RESPA Integrated Disclosure Rule (12 CFR 1024 and 1026).

R20-4-1807. Providing Copies of Records (the rule is not more stringent than the federal laws)

The HUD-1 settlement statement, and the final truth in lending disclosure.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

Not applicable

14. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

Not applicable

15. Whether the rule was previously made, amended or repealed as an emergency rule. If so, cite the notice published in the *Register* as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:

Not applicable

16. The full text of the rules follows:

TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE

CHAPTER 4. DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS FINANCIAL INSTITUTIONS

ARTICLE 18. MORTGAGE BANKERS

Section
R20-4-1801. Exemption for an Entity Regulated by an Agency of this State, Other States, or by the United States
R20-4-1802. Equivalent and Related Experience
R20-4-1803. Restrictions on the Term of a Cash Alternative to a Surety Bond
R20-4-1804. Requirements for a Person Intended to Oversee a Branch Office
R20-4-1805. Notification of Change of Address
R20-4-1806. Recordkeeping Requirements
R20-4-1807. Providing Copies of Records
R20-4-1808. Authorization to Complete Blank Spaces
R20-4-1809. Determining Loan Amounts
R20-4-1810. Delay or Cause Delay
R20-4-1811. Impound Account
R20-4-1812. Acquisition of Additional Interest in Licensee by Majority Owner
R20-4-1813. Conversion to Mortgage Broker License

ARTICLE 18. MORTGAGE BANKERS

R20-4-1801. Exemption for an Entity Regulated by an Agency of this State, Other States, or by the United States

A. The exemption under A.R.S. § 6-942(A)(1) only applies to a person whose offers to make or negotiate a "mortgage banking loan" or a "mortgage loan," as those terms are defined in A.R.S. § 6-941, and all mortgage banking loans and mortgage loans made or negotiated by the person, are regulated directly by an agency of this state, any other state, or the United States.

B. The required regulation of the transactions listed in subsection (A) includes:
1. Rules governing a claimant's accounting and recordkeeping practices;
2. The authority to examine a claimant's books and records relating to its mortgage banking activities or mortgage lending activities, or both; and
3. The ability to place a claimant ~~in a~~ into receivership or conservatorship with regard to the claimant's mortgage banking activities, or mortgage lending activities, or both.

R20-4-1802. Equivalent and Related Experience

A. An applicant may satisfy the three years' experience requirement of A.R.S. § 6-943 by the types of lending-related experience listed in this subsection. The Department counts each month in the following types of work experience toward the three years required either for a mortgage banker license, or as a responsible individual, both under A.R.S. § 6-943(C). The Department counts a fractional month of experience, at least 15 days long, as a full month.
1. Mortgage ~~banker with an Arizona license,~~ broker, responsible individual, or branch manager for a licensee;
2. Mortgage ~~broker with an Arizona license,~~ banker, responsible individual, or branch manager for a licensee;
3. Loan ~~officer~~ originator with responsibility primarily for loans secured by lien interests on real property;
4. Lender's branch manager with responsibility primarily for loans secured by lien interests on real property;
5. ~~Mortgage banker with license from another state, or responsible individual for the mortgage banker;~~Attorney licensed in Arizona;
6. ~~Mortgage broker with license from another state, or responsible individual for the mortgage broker;~~Manager or supervisor of loan originators;
7. ~~Attorney certified by any state as a real estate specialist.~~Mortgage processor, mortgage underwriter, or mortgage quality control professional with responsibility primarily for loans secured by lien interests on real property;
8. Executive, supervisor, or policy maker involved in administering, or operating a mortgage-related business; or
9. Regulator, examiner, investigator, compliance expert, or auditor whose primary function is the review of mortgage companies, and their compliance processes whose experience is determined to be sufficient by the Department.

B. An applicant with insufficient actual experience of the types listed in subsection (A) may satisfy the remainder of the three years' experience requirement of A.R.S. § 6-943 by the types of related experience listed in this subsection. The Department counts each month in the following types of work experience according to the ratio listed below, of actual experience to equivalent experience, credited toward qualifying for a license, or as a responsible individual, both under A.R.S. § 6-943(C). The Department counts a fractional month of experience, at least 15 days long, as a full month. ~~An applicant receives credit in only one area listed and for not more than three years' actual experience.~~ The remaining years of experience required to qualify for a license shall be obtained from types of work experiences listed in subsection (A). A minimum of one year of experience must be obtained from the types of work experience listed in subsection (A).
1. Attorney ~~without state bar certified real estate specialty~~ not licensed in Arizona but licensed in another U.S. state or territory...3:2
2. Paralegal with experience in real estate matters...3:2
3. ~~Loan underwriter~~ Mortgage broker or mortgage banker from another state without a license...3:2
4. ~~Mortgage banker or mortgage broker from another state without license~~ Real estate broker with an Arizona license or license from a state with substantially equivalent licensing requirements...3:2
5. ~~Real estate broker with an Arizona license or license from a state with substantially equivalent licensing requirements~~ Escrow officer...3:2
6. ~~Escrow officer~~ Trust officer with a title company...3:2
7. ~~Trust officer with a title company...3:2~~ Title officer with a title company...3:1.5

8. ~~Executive, supervisor, or policy maker involved in administering or operating a mortgage-related business~~ Lender's branch manager with responsibility primarily for loans not secured by lien interests on real property...3:1.5
9. ~~Title officer with a title company...3:1.5~~ Loan originator with responsibility primarily for loans not secured by lien interests on real property…3:1
10. ~~Real estate broker, not qualified under subsection (B)(5)...3:1.5~~
11. ~~Loan processor with responsibility primarily for loans secured by lien interests on real property...3:1.5~~
12. ~~Lender's branch manager with responsibility primarily for loans not secured by lien interests on real property...3:1.5~~
13. ~~Real property salesperson, with an Arizona license or a license from a state with substantially equivalent licensing requirements...3:1~~
14. ~~Loan officer, with responsibility primarily for loans not secured by lien interests on real property...3:1~~

R20-4-1803. Restrictions on the Term of a Cash Alternative to a Surety Bond

A licensee or applicant shall not place a certificate of deposit or investment certificate as a cash alternative to a surety bond with the ~~Superintendent~~ Director that is renewable or expires earlier than 12 months from the date of issuance.

R20-4-1804. Requirements for a Person Intended to Oversee a Branch Office

~~A~~ The person designated as a branch office manager to oversee the operations of a branch office, as specified in A.R.S. § 6-944(E), shall be knowledgeable about the branch activities of the licensee, supervise compliance by the branch with applicable ~~law~~ laws and rules, and have sufficient authority to ensure such compliance. One person may oversee more than one branch.

R20-4-1805. Notification of Change of Address

If a licensee changes the licensee's principal place of business, or the location of a branch office, the licensee shall notify the ~~Superintendent~~ Director of the new address at least five business days before the address change. ~~With the notice, a licensee shall provide the Superintendent with the license for the office changing its address and the fee required by A.R.S. § 6-126 for changing an office address.~~ A copy of the license shall continue to be displayed at the place of business until a new license is issued.

R20-4-1806. Recordkeeping Requirements

A. ~~The Superintendent shall approve a licensee's use of a computer or mechanical recordkeeping system if the licensee gives the Superintendent advanced written notice that it intends to do so. The Department shall not require a licensee to keep a written copy of the~~ A licensee may keep its records as electronic records if the licensee can generate all information and complete and legible copies required by this Section ~~in a timely manner~~ within the timeframe set by the Department for examination or other purposes. ~~A licensee may add, delete, modify, or customize an approved computer or mechanical recordkeeping system's hardware or software components. When requested, or in response to a written notice of an examination, a licensee shall report to the Superintendent any alteration in the approved system's fundamental character, medium, or function if the alteration changes:~~

1. ~~Any approved computer or mechanical system back to a paper-based system; or~~
2. ~~An approved mechanical system to a computer system; or~~
3. ~~An approved computer system to a mechanical system.~~

B. In addition to any statutory requirement regarding records, a record maintained by a mortgage banker shall include the following:

1. A list of all executed loan applications or executed fee agreements that includes the following information:
   a. Applicant's name;
   b. Application date;
   c. Amount of initial loan request;
   d. Final disposition date;
   e. Disposition (funded, denied); and
   f. Name of loan officer;
2. A record, such as a cash receipts journal, of all money received in connection with mortgage banking loans or mortgage loans including:
   a. Payor's name;
   b. Date received;
   c. Amount; and
   d. Receipt's purpose including identification of a related loan, if any;
3. A sequential listing of checks written for each bank account relating to the mortgage banker business, such as a cash disbursement journal, including:
   a. Payee's name;
   b. Amount;
   c. Date; and
   d. Payment's purpose including identification of a related loan, if any;
4. Bank account activity source documents for the mortgage banker business including receipted deposit tickets, numbered receipts for cash, bank account statements, paid checks, and bank advices;
5. A trust subsidiary ledger for each borrower that deposits trust funds showing:
   a. Borrower's name or co-borrowers' names;
   b. Loan number, if any;
   c. Amount received;
   d. Purpose for the amount received;
   e. Date received;
   f. Date deposited into trust account;
   g. Amount disbursed~~,~~ from trust account;
   h. Date disbursed~~,~~ from trust account;

i. Disbursement's payee and purpose; and
j. Balance;

6. A file for each application for a mortgage banking loan or a mortgage loan containing:
   a. The agreement with the customer concerning the mortgage banker's services, whether as a loan application, fee agreement, or both;
   b. Document showing the application's final disposition, such as a settlement statement, closing disclosure, or a denial or withdrawal letter;
   c. Correspondence sent, received, or both by the licensee;
   d. Contract, agreement and escrow instructions to or with any depository;
   e. Documents showing compliance, to the extent applicable, with the Consumer Credit Protection Act's ~~(15 U.S.C. §§ 1601 through 1666j)~~ (15 U.S.C. §§ 1601 et seq.) disclosure requirements, ~~and~~ the Real Estate Settlement Procedures Act's (12 U.S.C. §§ 2601 through 2617) disclosure requirements, and the regulations promulgated thereunder, such as copies of the loan estimates and closing disclosures required by the TILA-RESPA Integrated Disclosure Rule (12 CFR 1024 and 1026) ~~to the extent applicable~~;
   f. If the loan is closed in the licensee's name, and funded by a lender that is not an institutional investor as defined at A.R.S. § 6-943, a copy of the executed note, executed deed of trust or mortgage, and each assignment of beneficial interest by the licensee, if any. If any of the documents listed in this subsection have been recorded, the file shall also contain legible copies of the recorded documents~~,~~; and~~;~~
   g. Itemized list of all fees taken in advance including appraisal fee, credit report fee, and application fee;
7. Samples of every piece of advertising relating to the mortgage banker's business in Arizona;
8. Copies of governmental or regulatory compliance reviews;
9. If the licensee is not a natural person, a file containing:
   a. Organizational documents for the entity;
   b. Minutes;
   c. A record, ~~such as~~ including a stock or ownership transfer ledger, showing ownership of all proportional equity interests in the licensee, ascertainable as of any given record date; and
   d. Annual report, if required by law;
10. If the licensee or anyone directly or indirectly owning more than 20% of the licensee has a felony conviction, a copy of the judgment or other record of conviction;
11. If the licensee or anyone directly or indirectly owning more than 20% of the licensee has, in the previous seven years, been named a defendant in any civil suit, a copy of the complaint, any answer filed by the licensee, and any judgment, dismissal or other final order disposing of the action;
12. If the ~~Superintendent has granted approval to maintain~~ licensee maintains records outside this state, the specific address where the records are kept, and a person's name to contact for them;
13. If a licensee does business in other states, it must be able to separate Arizona loan information from information relating to other states to enable the ~~Superintendent~~ Director to conduct an examination~~.~~; and
14. A licensee shall produce a trial balance of the general ledger monthly to evidence the mortgage banker's net worth.

C. If 10 or fewer transactions have occurred during the prior calendar quarter, a licensee shall reconcile and update all records specified in subsection (B) at least once each calendar quarter. A licensee shall reconcile and update all records specified in subsection (B) monthly if more than 10 transactions occurred during the prior calendar quarter. In addition to reconciling each trust bank account, a licensee shall verify each trust balance to each trust subsidiary ledger at each reconciliation.

D. A licensee shall retain the documents described in subsections (B)(1) and (6) for the length of time provided in A.R.S. § 6-946. For the purposes of A.R.S. § 6-946, the mortgage banking loan's closing date, on a loan application that did not result in the making of a loan, is either:
1. The date a licensee receives a written cancellation notice from an applicant; or
2. The date a licensee mails written notice to an applicant that an application has been denied, as required by federal law.

E. A licensee shall maintain all other records described in this Section, and not included in subsection (D), for at least two years.

R20-4-1807. Providing Copies of Records

For each loan closed in an Arizona mortgage broker's name with a concurrent assignment of beneficial interest to a mortgage banker, the mortgage banker licensee shall provide to the mortgage broker in whose name the loan closed a copy of:
1. The closing instructions;
2. Any applicable rescission notice;
3. The HUD-1 settlement statement~~;~~, if applicable;
4. ~~The final truth-in-lending disclosure;~~ The closing disclosure;
5. ~~The note;~~ The final truth in lending disclosure;
6. ~~The executed deed of trust or mortgage; and~~ The note;
7. ~~Each assignment of beneficial interest by the mortgage banker licensee.~~ The executed deed of trust or mortgage; and
8. Each assignment of beneficial interest by the mortgage banker licensee.

R20-4-1808. Authorization to Complete Blank Spaces

An authorization, under ~~A.R.S. § 6-947,~~ A.R.S. § 6-947(A), allowing a licensee or escrow agent to complete certain blank spaces in a document after it is signed by a party to the transaction shall:
1. Specifically identify the document and the blank spaces to be completed;
2. Be in writing, dated, and signed by the authorizing parties~~,~~; and
3. Contain the following notice, conspicuously printed on its face: YOUR SIGNATURE BELOW AUTHORIZES YOUR MORTGAGE BANKER OR ESCROW AGENT TO FILL IN SPACES YOU LEFT BLANK IN SPECIFIED LOAN DOCUMENTS

YOU ARE ABOUT TO SIGN OR MAY HAVE ALREADY SIGNED. UNDER STATE LAW YOU CAN GIVE THIS AUTHORITY, BUT YOU ARE NOT REQUIRED TO DO SO. YOU CAN REFUSE TO SIGN ANY DOCUMENTS UNTIL ALL BLANKS ARE COMPLETELY FILLED IN.

R20-4-1809. Determining Loan Amounts
The amount of a mortgage banking loan or a mortgage loan under A.R.S. §§ 6-947(E) or 6-947(K), is the principal amount of the loan and does not include any points, interest, finance charges, insurance premiums of any kind, compensation paid to third parties, or compensation retained by a mortgage banker, or its agents.

R20-4-1810. Delay or Cause Delay
A mortgage banker does not delay or does not cause delay if the delay occurs due to events outside the control of the mortgage banker.

R20-4-1811. Impound Account
The total of all funds retained by a mortgage banker from all periodic payments made by a borrower to maintain a cushion, as defined in R20-4-102, shall not exceed ~~1/6th~~ one-sixth of the estimated total annual payments from the impound account.

R20-4-1812. Acquisition of Additional Interest in Licensee by Majority Owner
A person ~~that owns~~ owning 51% or more of a licensee's outstanding voting equity interests~~, and that~~ who acquires the power to vote additional fractional equity interests, shall deliver written notice of the acquisition to the ~~Superintendent.~~ Director. The person shall deliver the notice before completing the acquisition. Within 10 days after completing the acquisition, the person shall deliver documentation evidencing the acquisition to the ~~Superintendent.~~ Director.

R20-4-1813. Conversion to Mortgage Broker License
Under A.R.S. § 6-949 to apply for a conversion from a mortgage banker license to a mortgage broker license, the applicant shall submit during the renewal period all applicable renewal ~~documents~~ fees and renewal ~~fees~~ documents required by ~~A.R.S. §§ 6-126 and 6-903~~ A.R.S. § 6-903 for mortgage brokers.

NOTICE OF FINAL RULEMAKING

TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE

CHAPTER 4. DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS FINANCIAL INSTITUTIONS

[R25-152]

PREAMBLE

1. Permission to proceed with this final rulemaking was granted under A.R.S. § 41-1039 by the governor on:
March 17, 2025

2.

Article, Part, or Section Affected (as applicable)	Rulemaking Action
R20-4-1901	Amend
R20-4-1902	Amend
R20-4-1903	Amend
R20-4-1904	Amend
R20-4-1905	Amend
R20-4-1906	Amend
R20-4-1907	Amend
R20-4-1908	Amend
R20-4-1909	Amend
R20-4-1910	Amend
R20-4-1911	Amend

3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):
Authorizing statute: A.R.S. § 6-123(2)
Implementing statutes: A.R.S. §§ 6-971, 6-972, 6-973, 6-975, 6-977, 6-976, 6-978, 6-979, 6-983, and 6-984

4. The effective date of the rule:
August 17, 2025

a. If the agency selected a date earlier than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):
Not applicable

b. If the agency selected a date later than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason the agency selected the later effective date as provided in A.R.S. § 41-1032(B):
Not applicable

5. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the current record of the final rule:

Notice of Rulemaking Docket Opening: 30 A.A.R 3839, Issue Date: December 20, 2024, Issue Number: 51, File Number: R24-279

Notice of Proposed Rulemaking: 30 A.A.R. 3830, Issue Date: December 20, 2024, Issue Number: 51, File Number: R24-274

6. The agency's contact person who can answer questions about the rulemaking:

Name:	Mary E. Kosinski
Title:	Asst. Regulatory Legal Affairs Officer
Address:	Department of Insurance and Financial Institutions 100 N. 15th Ave., Suite 261 Phoenix, AZ 85007-2630
Tel:	(602) 364-3476
Email:	mary.kosinski@difi.az.gov
Website:	https://difi.az.gov

7. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:

The Arizona Department of Insurance and Financial Institutions – Financial Institutions Division ("Department") is proposing changes to A.A.C. Title 20, Chapter 4, Article 19 – Commercial Mortgage Bankers. The changes the Department is proposing will reflect the structural change to the former Department of Financial Institutions which merged with the Department of Insurance to form the Department of Insurance and Financial Institutions (the "new agency"), on July 1, 2020. The former Department of Financial Institutions became a division of the new agency.

As a result of the merger, the new agency made statutory changes to eliminate the position of Superintendent. Instead, the Director of the new agency assumed those duties. This structural change necessitated replacing references to "Superintendent" with "Director" throughout the Article.

When reviewing the rules in the Article, the Department also endeavored to modernize the current rules since the most recent rulemaking for Article 19 was in 1999. The Department is also modifying and adding experience requirements, removing a fee, correcting statutory citations, and allowing the use of electronic recordkeeping.

The rules augment the correlating statutory sections regulating these entities found at Title 6, A.R.S. §§ 6-971 through 6-985.

This rulemaking amends Article 19 (Commercial Mortgage Bankers) as follows:

- R20-4-1901 (Exemption for an Institutional Investor) will be amended to correct punctuation.
- R20-4-1902 (Exemption for an Entity Regulated by an Agency of this State, Other States, or by the United States) will be amended to correct punctuation, and to add clarifying language.
- R20-4-1903 (Equivalent and Related Experience) will be amended to modify and add to experience requirements, and to correct for passive voice.
- R20-4-1904 (Restrictions on the Term of a Cash Alternative to a Surety Bond) will be amended to replace "Superintendent" with "Director."
- R20-4-1905 (Requirements for a Person Intended to Oversee a Branch Office) will be amended to clarify that a person intended to oversee a branch office as referenced in the statute is a "branch office manager," and to correct unnecessary capitalization.
- R20-4-1906 (Notification of Change of Address) will be amended to comport with the language of A.R.S. § 6-979(C) and (D), and to remove the fee.
- R20-4-1907 (Recordkeeping Requirements) will be amended to allow records to be kept electronically and outside the state without first obtaining the Director's approval, to add clarifying language, to replace "Superintendent" with "Director," and to correct punctuation.
- R20-4-1908 (Impound Accounts) will be amended to remove unnecessary capitalization.
- R20-4-1909 (Authorization to Complete Blank Spaces) will be amended to correct a statutory citation.
- R20-4-1910 (Delay or Cause Delay) will be amended to add clarifying language.
- R20-4-1911 (Acquisition of Additional Interest in Licensee by Majority Owner) will be amended to replace "Superintendent" with "Director," and to add clarifying language.

The changes proposed in this rulemaking relate to the Department's June, 2024 Five-Year Review Report for this Article.

8. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

Not applicable

9. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

10. A summary of the economic, small business, and consumer impact:

Pursuant to A.R.S. § 41-1055(A)(1):

The rulemaking is not designed to change any conduct. Instead, it is necessary to reflect the new structure of the Department, and to modernize and clarify some of the Sections.

Pursuant to A.R.S. § 41-1055(A)(2):

The compliance costs incurred by Commercial Mortgage Bankers are expected to be minimal and not expected to impact revenues or payroll expenditures.

Pursuant to A.R.S. § 41-1055(A)(3):

An economic, small business and consumer impact summary accompanies the submission of the Final Rulemaking to the Governor's Regulatory Review Council.

11. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:

Not applicable

12. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:

Not applicable

13. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

Not applicable

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The rules do not require a permit and do not use a general permit. A.R.S. § 6-973 requires a Commercial Mortgage Banker to obtain a traditional license before engaging in the business of a Commercial Mortgage Banker.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

No federal law is applicable to the subject of the rules.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

Not applicable

14. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

Not applicable

15. Whether the rule was previously made, amended or repealed as an emergency rule. If so, cite the notice published in the *Register* as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:

Not applicable

16. The full text of the rules follows:

TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE

CHAPTER 4. DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS FINANCIAL INSTITUTIONS

ARTICLE 19. COMMERCIAL MORTGAGE BANKERS

Section

R20-4-1901. Exemption for an Institutional Investor
R20-4-1902. Exemption for an Entity Regulated by an Agency of this State, Other States, or by the United States
R20-4-1903. Equivalent and Related Experience
R20-4-1904. Restrictions on the Term of a Cash Alternative to a Surety Bond
R20-4-1905. Requirements for a Person Intended to Oversee a Branch Office
R20-4-1906. Notification of Change of Address
R20-4-1907. Recordkeeping Requirements
R20-4-1908. Impound Accounts
R20-4-1909. Authorization to Complete Blank Spaces
R20-4-1910. Delay or Cause Delay
R20-4-1911. Acquisition of Additional Interest in Licensee by Majority Owner

ARTICLE 19. COMMERCIAL MORTGAGE BANKERS

R20-4-1901. Exemption for an Institutional Investor

A. The exemption from the licensure requirement for an institutional investor, solely as that term is used in A.R.S. §§ 6-971, 6-972, and this Article, applies only if a person claiming the exemption meets all the following criteria:

1. The claimant originates, or directly or indirectly makes, negotiates, or offers to make or negotiate commercial mortgage loans that are all exclusively funded by the claimant's own resources, as defined in A.R.S. § 6-971;
2. The claimant does so in the regular course of business;
3. The claimant makes only commercial mortgage loans, as defined in A.R.S. § 6-971;
4. The claimant makes each loan on the security of commercial property, as defined in A.R.S. § 6-971; and

5. The claimant makes only loans of more than $250,000.

B. If a claimant makes even one commercial mortgage loan that does not satisfy all the above criteria, any claim of exemption is invalid~~,~~ and that person shall not engage in any lending activity before obtaining a license.

R20-4-1902. Exemption for an Entity Regulated by an Agency of this State, Other States, or by the United States

A. The exemption under A.R.S. § 6-972(9) only applies to a person whose offers to make or negotiate a "commercial mortgage loan," as that term is defined in A.R.S. § 6-971, and all commercial mortgage loans made or negotiated by the person, are regulated directly by an agency of this state, any other state, or the United States.

B. The required regulation of the transactions listed in subsection (A) includes:

1. Rules governing a claimant's accounting and recordkeeping practices~~;~~,
2. The authority to examine a claimant's books and records relating to its commercial mortgage lending activities~~;~~, and
3. The ability to place a claimant ~~in a~~ into receivership or conservatorship with regard to the claimant's commercial mortgage lending activities.

R20-4-1903. Equivalent and Related Experience

A. An applicant may satisfy the three years' experience requirement of A.R.S. § 6-973 by the types of lending-related experience listed in this subsection. The Department counts each month in the following types of work experience towards the three years required either for a commercial mortgage banker license, or as a responsible individual, both under A.R.S. § 6-973(D). The Department counts a fractional month of experience, at least 15 days long, as a full month.

1. ~~Commercial mortgage banker with an Arizona license, or Responsible Individual~~ Mortgage broker, responsible individual, or branch manager for a licensee;
2. ~~Mortgage broker with Arizona license, or Responsible Individual~~ Mortgage banker, responsible individual, or branch manager for a licensee;
3. ~~Mortgage banker with an Arizona license, or Responsible Individual~~ Commercial mortgage broker, or responsible individual, or branch manager for a licensee;
4. ~~Loan officer, with responsibility primarily for loans secured by lien interests on commercial real property;~~ Commercial mortgage banker, or responsible individual, or branch manager for a licensee;
5. ~~Lender's branch manager, with responsibility primarily for loans secured by lien interests on commercial real property;~~Loan originator with responsibility primarily for loans secured by lien interests on commercial real property;
6. ~~Commercial mortgage banker with license from another state, or Responsible Individual for the commercial mortgage banker;~~ Lender's branch manager with responsibility primarily for loans secured by lien interests on commercial real property;
7. ~~Mortgage broker with license from another state, or Responsible Individual for the mortgage broker;~~ Attorney licensed in Arizona;
8. ~~Mortgage banker with license from another state, or responsible individual for the mortgage banker;~~ Manager or supervisor of loan originators;
9. ~~Attorney certified by any state as a real estate specialist.~~Mortgage processor, mortgage underwriter, or mortgage quality control professional with responsibility primarily for loans secured by lien interests on real property;
10. Executive, supervisor, or policymaker involved in administering, or operating a mortgage-related business; or
11. Regulator, examiner, investigator, compliance expert, or auditor whose primary function is the review of mortgage companies, and their compliance processes whose experience is determined to be sufficient by the Department.

B. ~~The experience of an applicant with insufficient actual experience of the types listed in subsection (A) is reviewed and evaluated on a case by case basis.~~ The Department will review and evaluate the experience of an applicant with insufficient actual experience of the types listed in subsection (A) on a case by case basis.

R20-4-1904. Restrictions on the Term of a Cash Alternative to a Surety Bond

A licensee or applicant shall not place a certificate of deposit or investment certificate as a cash alternative to a surety bond with the ~~Superintendent~~ Director that is renewable or expires earlier than 12 months from the date of issuance.

R20-4-1905. Requirements for a Person Intended to Oversee a Branch Office

~~A Person~~ The person designated as a branch office manager to oversee the operations of a branch office, as specified in A.R.S. § 6-979(B), shall be knowledgeable about the branch activities of the licensee, supervise compliance by the branch with applicable ~~law~~ laws and rules, and have sufficient authority to ensure such compliance. One ~~Person~~ person may oversee more than one branch.

R20-4-1906. Notification of Change of Address

If a licensee changes the licensee's principal place of business, or the location of a branch office, the licensee shall immediately notify the Director of ~~Superintendent within five business days after~~ the address change. ~~With the notice, a licensee shall provide the Superintendent with the license for the office changing its address and the fee required by A.R.S. § 6-126 for changing an office address.~~ A copy of the license shall continue to be displayed at the place of business until a new license is issued.

R20-4-1907. Recordkeeping Requirements

A. ~~The Superintendent shall approve a licensee's use of a computer or mechanical recordkeeping system if the licensee gives the Superintendent advanced written notice that it intends to do so. The Department shall not require a licensee to keep a written copy of the~~ A licensee may keep its records as electronic records if the licensee can generate all information and complete and legible copies required by this Section ~~in a timely manner~~ within the timeframe set by the Department for examination or other purposes. ~~A licensee may add, delete, modify, or customize an approved computer or mechanical recordkeeping system's hardware or software components. When requested, or in response to a written notice of an examination, a licensee shall report to the Superintendent any material alteration in the approved system's fundamental character, medium, or function if the alteration changes:~~

~~1. Any approved computer or mechanical system back to a paper based system; or~~
~~2. An approved mechanical system to a computer system; or~~

~~3. An approved computer system to a mechanical system.~~

B. In addition to any statutory requirement regarding records, a record maintained by a commercial mortgage banker shall include the following:

1. A list of all executed loan applications or executed fee agreements that includes the following information:
   a. Applicant's name;
   b. Application date;
   c. Amount of initial loan request;
   d. Final disposition date;
   e. Disposition (funded, denied); and
   f. Name of loan officer;
2. A record, such as a cash receipts journal, of all money received in connection with commercial mortgage loans including:
   a. Payor's name;
   b. Date received;
   c. Amount; and
   d. Receipt's purpose including identification of a related loan, if any;
3. A sequential listing of checks written for each bank account relating to the commercial mortgage banker business, such as a cash disbursement journal, including:
   a. Payee's name;
   b. Amount;
   c. Date; and
   d. Payment's purpose including identification of a related loan, if any;
4. Bank account activity source documents for the commercial mortgage banker business including receipted deposit tickets, numbered receipts for cash, bank account statements, paid checks, and bank advices~~.~~;
5. A trust subsidiary ledger for each borrower that deposits trust funds showing:
   a. Borrower's name or co-borrowers' names;
   b. Loan number, if any;
   c. Amount received;
   d. Purpose for the amount received;
   e. Date received;
   f. Date deposited into trust account;
   g. Amount disbursed~~;~~ from trust account;
   h. Date disbursed~~;~~ from trust account;
   i. Disbursement's payee and purpose, and
   j. Balance~~.~~;
6. A file for each application for a commercial mortgage loan containing:
   a. The agreement with the customer concerning the commercial mortgage banker's services, whether as a loan application, fee agreement, or both;
   b. The documents showing the application's final disposition, such as a settlement statements, a denial or withdrawal letter, or internal memorandum;
   c. Correspondence sent, received, or both by the licensee;
   d. Contract, agreement, and escrow instructions to or with any depository;
   e. If the loan is closed in the licensee's name, a copy of all closing documents including: closing instructions, copy of the executed note, executed deed of trust or mortgage, and each assignment of beneficial interest by the licensee, if any. If any of the documents listed in this subsection have been recorded, the file shall also contain legible copies of the recorded documents~~.~~; and
   f. Itemized list of all fees taken in advance including appraisal fee, credit report fee, and application fee~~.~~;
7. Samples of every piece of advertising relating to the commercial mortgage banker's business in Arizona;
8. Copies of governmental or regulatory reviews;
9. If the licensee is a not a natural person, a file containing:
   a. Organizational documents for the entity;
   b. Minutes;
   c. A record, ~~such as~~ including a stock or ownership transfer ledger, showing ownership of all proportional equity interests in the licensee, ascertainable as of any given record date; and
   d. Annual report, if required by law;
10. If the licensee or anyone directly or indirectly owning more than 20% of the licensee has a felony conviction, a copy of the judgment or other record of conviction~~.~~;
11. If the licensee or anyone directly or indirectly owning more than 20% of the licensee has, in the previous seven years, been named a defendant in any civil suit, a copy of the complaint, any answer filed by the licensee, and any judgment, dismissal or other final order disposing of the action~~.~~;
12. If the ~~Superintendent has granted approval to maintain~~ licensee maintains records outside this state, the specific address where the records are kept, and a person's name to contact for them~~.~~;
13. If a licensee does business in other states, it must be able to separate Arizona loan information from information relating to other states to enable the ~~Superintendent~~ Director to conduct an examination~~.~~; and
14. A licensee shall produce a trial balance of the general ledger monthly to evidence the commercial mortgage banker's net worth.

C. If 10 or fewer transactions have occurred during the prior calendar quarter, a licensee shall reconcile and update all records specified in subsection (B) at least once each calendar quarter. A licensee shall reconcile and update all records specified in subsection (B)

monthly if more than 10 transactions occurred during the prior calendar quarter. In addition to reconciling each trust bank account, a licensee shall verify each trust balance to each trust subsidiary ledger at each reconciliation.

D. A licensee shall retain the documents described in subsections (B)(1) and (6) for the length of time provided in A.R.S. § 6-983. For the purposes of A.R.S. § 6-983, the commercial mortgage loan's closing date, on a loan application that did not result in the making of a loan, is either:

1. The date a licensee receives a written cancellation notice from the applicant~~; or~~,
2. The date a licensee mails written notice to an applicant that an application has been denied~~; or~~, or
3. The date of a licensee's internal memorandum closing a loan file.

E. A licensee shall maintain all other records described in this Section, and not included in subsection (D), for at least two years.

R20-4-1908. Impound Accounts

The total of all funds, if any, retained by the commercial mortgage banker from all periodic payments made by the borrower to maintain a ~~Cushion,~~ cushion, as defined in R20-4-102, is limited only by the written agreement of the parties, if at all.

R20-4-1909. Authorization to Complete Blank Spaces

An authorization, under ~~A.R.S. § 6-984,~~ A.R.S. § 6-984(A), allowing a licensee or escrow agent to complete certain blank spaces in a document after it is signed by a party to the transaction shall:

1. Specifically identify the document and the blank spaces to be completed;
2. Be in writing, dated, and signed by the authorizing party~~.~~;; and
3. Contain the following notice, conspicuously printed on its face: YOUR SIGNATURE BELOW AUTHORIZES YOUR COMMERCIAL MORTGAGE BANKER OR ESCROW AGENT TO FILL IN SPACES YOU LEFT BLANK IN SPECIFIED LOAN DOCUMENTS YOU ARE ABOUT TO SIGN OR MAY HAVE ALREADY SIGNED. UNDER STATE LAW YOU CAN GIVE THIS AUTHORITY, BUT YOU ARE NOT REQUIRED TO DO SO. YOU CAN REFUSE TO SIGN ANY DOCUMENTS UNTIL ALL BLANKS ARE COMPLETELY FILLED IN.

R20-4-1910. Delay or Cause Delay

A commercial mortgage banker does not delay or does not cause delay if the delay occurs due to events outside the control of the commercial mortgage banker.

R20-4-1911. Acquisition of Additional Interest in Licensee by Majority Owner

A person ~~that owns~~ owning 51% or more of a licensee's outstanding voting equity interests~~, and that~~ who acquires the power to vote additional fractional equity interests, shall deliver written notice of the acquisition to the ~~Superintendent.~~ Director. The person shall deliver the notice before completing the acquisition. Within 10 days after completing the acquisition, the person shall deliver documentation evidencing the acquisition to the ~~Superintendent.~~ Director.

NOTICES OF RULEMAKING DOCKET OPENING

This section of the *Arizona Administrative Register* contains Notices of Rulemaking Docket Opening under A.R.S. § 41-1021.

A docket opening is the first part of the administrative rulemaking process. It is an "announcement" that an agency intends to work on its rules.

When an agency opens a rulemaking docket to consider rulemaking, the Administrative Procedure Act (APA) requires publication of the Notice of Rulemaking Docket Opening in the Register.

Under the APA, effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. An agency may file the Notice of Rulemaking Docket Opening along with the Notice of Proposed Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these notices. Questions about the interpretation of this information should be directed to the agency contact person listed in item #4 of this notice.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

[R25-155]

1. Permission to proceed with this docket was granted under A.R.S. § 41-1039 by the governor on:

April 21, 2025

2. Title and its heading:

4, Professions and Occupations

Chapter and its heading:

22, Board of Osteopathic Examiners in Medicine and Surgery

Article and its heading:

1, General Provisions
2, Licensing
3, Dispensing Drugs
4, Medical Assistants
5, Office-based Surgery

Section number:

R4-22-106, R4-22-201, R4-22-202, R4-22-207, R4-22-208, R4-22-301, R4-22-302, R4-22-304, R4-22-401, R4-22-402, R4-22-501, R4-22-503 through R4-22-508

3. The subject matter of the proposed rule:

Remove inconsistent language relating to continuation medical education as well as provides additional ways that a licensee can complete the required CME. Clarifying the methods by which CME can be satisfied—including new options like guided learning courses, participation in exam development/proctoring, and documented committee involvement—reduces ambiguity and administrative burden on both licensees and the Board. It also provides our licensees with more options to satisfy the CME requirements. Add rules related to CME audits as recommended by the Board 2024 Sunset Audit from the Auditor General. By updating the CME requirements and establishing a clear audit procedure, the proposed rules eliminate inconsistencies and outdated practices. The changes are designed to fully implement the authority granted under A.R.S. § 32-1825(B), which requires the Board to review and verify CME documentation during license renewal. This update ensures that the Board's procedures are in alignment with the statutory requirements for maintaining license standards.

Amend outdated rules relating to the Dispensing Controlled Substances. In particular to ensure that the Board's rules are consistent with statutory changes to the Board of Pharmacy statutes referenced in the Board of Osteopathic Examiners' Rules.

Amend outdated rules relating to Medical Assistants to be more consistent with Arizona Medical Board's rules for clarity. Amend outdated rules relating to Office-Based Surgery and the use of Sedation to be more consistent and clear.

4. A citation to all published notices relating to the current proceeding:

Not applicable

5. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Justin Bohall
Title: Executive Director
Address: 1740 W. Adams St., Suite 2410
Phoenix, AZ 85007

Telephone: (480) 657-7703
Email: publicinformation-reply@azdo.gov
Website: www.azdo.gov

6. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Board will continue to accept written comments at the location listed above until the close of record. The Board has scheduled oral proceedings as follows:

Wednesday, August 27, 2025, via Google Meets: Oral Comments for Proposed Rulemaking

Wednesday, August 27, 11:00 a.m. – 12:00 p.m.

Time zone: MST (Arizona)

Google Meet joining info:

Video call link: https://meet.google.com/ijn-ywke-aop

Or dial: (US) +1 915-308-0292 PIN: 153 888 740#

More phone numbers: https://tel.meet/ijn-ywke-aop?pin=3252201425022

7. A timetable for agency decisions or other action on the current proceeding, if known:

Unknown.

NOTICE OF RULEMAKING DOCKET OPENING

GAME AND FISH COMMISSION

[R25-156]

1. Permission to proceed with this docket was granted under A.R.S. § 41-1039 by the governor on:

January 29, 2025

2. Title and its heading:

12, Natural Resources

Chapter and its heading:

4, Game and Fish Commission

Article and its heading:

1, Definitions and General Provisions

Section number:

R12-4-114

3. The subject matter of the proposed rule:

The Commission proposes to amend R12-4-114 to establish a 10% limitation on all big game permits issued by way of a computer draw to ensure compliance with A.R.S. § 17-332.

4. A citation to all published notices relating to the current proceeding:

Notice of Proposed Rulemaking: 31 A.A.R. 2279, July 11, 2025 (*in this issue*); File Number: R25-147

5. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Christopher Dean, Rules and Policy Administrator
Address: Arizona Game and Fish Department, BASF
5000 W. Carefree Highway
Phoenix, AZ 85086
Telephone: (623) 236-7072
Email: CDean@azgfd.gov
Website: azgfd.gov

Please visit the AZGFD website to track the progress of this rule; view the regulatory agenda, five-year review reports, and learn about other agency rulemaking matters.

6. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Commission will accept comments Monday through Friday from 8:00 a.m. until 5:00 p.m., at the address listed under item #4 for 30 days from the date the Notice of Proposed Rulemaking is published in the *Arizona Administrative Register*. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.

7. A timetable for agency decisions or other action on the current proceeding, if known:

To be determined

NOTICE OF RULEMAKING DOCKET OPENING

GAME AND FISH COMMISSION

[R25-157]

1. Permission to proceed with this docket was granted under A.R.S. § 41-1039 by the governor on:
May 9, 2024

2. Title and its heading:
12, Natural Resources

Chapter and its heading:
4, Game and Fish Commission

Article and its heading:
2, License; Permits; Stamps; Tags

Section number:
R12-4-201 through R12-4-208, R12-4-210, R12-4-211, R12-4-213, R12-4-215 through R12-4-217
(*Sections may be added, amended, repealed, or renumbered as necessary*).

3. The subject matter of the proposed rule:
The Commission proposes to amend rules within Article 2 to implement the recommended courses of action included in the most recent Article 2 five-year rule review report approved by the Commission September 8, 2023, and the Governor's Regulatory Review Council on March 5, 2024.

4. A citation to all published notices relating to the current proceeding:
Notice of Proposed Rulemaking: 31 A.A.R. 2282, July 11, 2025 (*in this issue*); File Number: R25-148

5. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name:	Larisa Harding
Title:	Small Game Program Manager
Division:	Wildlife Management Division
Address:	5000 W. Carefree Hwy Phoenix, AZ 85086
Telephone:	(623) 236-7503
Email:	lharding@azgfd.gov
Website:	azgfd.gov

6. The time during which the agency will accept written comments and the time and place where oral comments may be made:
The Commission will accept comments Monday through Friday from 8:00 a.m. until 5:00 p.m., at the address listed under item #5 for 90 days from the date the Notice of Proposed Rulemaking is published in the *Arizona Administrative Register*. Information regarding an oral proceeding is included in the Notice of Proposed Rulemaking.

7. A timetable for agency decisions or other action on the current proceeding, if known:
To be determined.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS
INSURANCE DIVISION

[R25-158]

1. Permission to proceed with this docket was granted under A.R.S. § 41-1039 by the governor on:
May 23, 2025

2. Title and its Heading:
20, Commerce, Financial Institutions, and Insurance

Chapter and its heading:
6, Department of Insurance and Financial Institutions – Insurance Division

Article and its heading:

1, Rules of Practice and Procedure Before the Director
6, Types of Insurance Contracts
19, Health Care Services Organizations Oversight

Section number:
R20-6-101, R20-6-602, and R20-6-1902 (*Sections may be added, deleted or modified, as necessary*)

3. The subject matter of the proposed rule:
The subject matter of R20-6-101 is administrative and Director's hearings, and definitions.

The subject matter of R20-6-602 is the definition of nationwide inland marine risks and coverages.

The subject matter of R20-6-1902 is definitions relating to regulation of health care services organizations.

This housekeeping exercise is intended to make corrections and to bring clarification to the following Sections:

- Revise R20-6-101(B)(5) to correct a statutory cite, and to clarify which Director's hearings are mandatory, which are mandatory under certain circumstances, and which are discretionary;
- Update R20-6-602 to replace gender specific references in two subsections. This fulfills a commitment made in the Department's 2020 Five Year Review Report for this Article;
- Correct a statutory reference in R20-6-1902(43), and add clarifying language to the definition for "Contracted."

4. A citation to all published notices relating to the proceeding:

Notice of Proposed Rulemaking: 31 A.A.R. 2301, July 11, 2025 (*in this issue*); File Number: R25-154

5. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Mary Kosinski

Address: Arizona Department of Insurance and Financial Institutions
100 N. 15th Ave., Suite 261
Phoenix, AZ 85007-2630

Telephone: (602) 364-3476

Email: mary.kosinski@difi.az.gov

6. The time during which the agency will accept written comments and the time and place where oral comments may be made:

To be determined.

7. A timetable for agency decisions or other action on the proceeding, if known:

To be determined.

NOTICES OF PUBLIC INFORMATION

Agencies use Notices of Public Information to notify stakeholders about other information that pertains to rulemaking notices under A.R.S. § 41-1013(B)(14). When required by law, agencies also use this notice to notify the public about information not related to rulemaking.

The most common use for this notice is to correct errors printed in a rulemaking notice or extend a public comment period.

The Administrative Rules Division of the Office does not provide a standard template for Notices of Public Information because the content of this type of notice varies.

An agency shall follow the Office's formatting standards when preparing this type of notice and use a numbered list of questions and answers. Additionally, an agency receipt shall be filed with a Notice of Public Information.

NOTICE OF PUBLIC INFORMATION

OFFICE OF THE GOVERNOR

[M25-65]

1. Agency name:
Office of the Governor

2. Public information related to this notice:
Notice of Executive Commutation

Governor Hobbs gives notice that the following Executive Commutation was granted for Hope King in response to a unanimous recommendation by the Board of Executive Clemency.

Governor Katie Hobbs hereby gives notice that Hope King received an Executive Commutation, granted July 9, 2025, in response to a unanimous recommendation by the Board of Executive Clemency. Ms. King's sentence on Count 4 is commuted to two years. This commutation was granted based on the excessiveness of Ms. King's sentence and compelling information about Ms. King's postpartum mental health.

REGISTER INDEXES

The *Register* is published by volume in a calendar year (See "General Information" in the front of each issue for more information).

Abbreviations for rulemaking activity in this Index include:

PROPOSED RULEMAKING
PN = Proposed new Section
PM = Proposed amended Section
PR = Proposed repealed Section
P# = Proposed renumbered Section

SUPPLEMENTAL PROPOSED RULEMAKING
SPN = Supplemental proposed new Section
SPM = Supplemental proposed amended Section
SPR = Supplemental proposed repealed Section
SP# = Supplemental proposed renumbered Section

FINAL RULEMAKING
FN = Final new Section
FM = Final amended Section
FR = Final repealed Section
F# = Final renumbered Section

SUMMARY RULEMAKING
PROPOSED SUMMARY
PSMN = Proposed Summary new Section
PSMM = Proposed Summary amended Section
PSMR = Proposed Summary repealed Section
PSM# = Proposed Summary renumbered Section
FINAL SUMMARY
FSMN = Final Summary new Section
FSMM = Final Summary amended Section
FSMR = Final Summary repealed Section
FSM# = Final Summary renumbered Section

EXPEDITED RULEMAKING
PROPOSED EXPEDITED
PEN = Proposed Expedited new Section
PEM = Proposed Expedited amended Section
PER = Proposed Expedited repealed Section
PE# = Proposed Expedited renumbered Section
SUPPLEMENTAL EXPEDITED
SPEN = Supplemental Proposed Expedited new Section
SPEM = Supplemental Proposed Expedited amended Section
SPER = Supplemental Proposed Expedited repealed Section
SPE# = Supplemental Proposed Expedited renumbered Section
FINAL EXPEDITED
FEN = Final Expedited new Section
FEM = Final Expedited amended Section
FER = Final Expedited repealed Section
FE# = Final Expedited renumbered Section

EXEMPT RULEMAKING
EXEMPT
XN = Exempt new Section
XM = Exempt amended Section
XR = Exempt repealed Section
X# = Exempt renumbered Section
EXEMPT PROPOSED
PXN = Proposed Exempt new Section
PXM = Proposed Exempt amended Section
PXR = Proposed Exempt repealed Section
PX# = Proposed Exempt renumbered Section
EXEMPT SUPPLEMENTAL PROPOSED
SPXN = Supplemental Proposed Exempt new Section
SPXR = Supplemental Proposed Exempt repealed Section
SPXM = Supplemental Proposed Exempt amended Section
SPX# = Supplemental Proposed Exempt renumbered Section
FINAL EXEMPT RULEMAKING
FXN = Final Exempt new Section
FXM = Final Exempt amended Section
FXR = Final Exempt repealed Section
FX# = Final Exempt renumbered Section

EMERGENCY RULEMAKING
EN = Emergency new Section
EM = Emergency amended Section
ER = Emergency repealed Section
E# = Emergency renumbered Section
EEXP = Emergency expired

RECODIFICATION OF RULES
RC = Recodified

REJECTION OF RULES
RJ = Rejected by the Attorney General

TERMINATION OF RULES
TN = Terminated proposed new Sections
TM = Terminated proposed amended Section
TR = Terminated proposed repealed Section
T# = Terminated proposed renumbered Section

RULE EXPIRATIONS
EXP = Rules have expired
See also "emergency expired" under emergency rulemaking

CORRECTIONS
C = Corrections to Published Rules

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2025 RULES EFFECTIVE DATES CALENDAR

A.R.S. § 41-1032(A), as amended by Laws 2002, Ch. 334, § 8 (effective August 22, 2002), states that a rule generally becomes effective 60 days after the day it is filed with the Secretary of State's Office. The following table lists filing dates and effective dates for rules that follow this provision. Please also check the rulemaking Preamble for effective dates.

January		**February**		**March**		**April**		**May**		**June**	
Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date
1/1	3/2	2/1	4/2	3/1	4/30	4/1	5/31	5/1	6/30	6/1	7/31
1/2	3/3	2/2	4/3	3/2	5/1	4/2	6/1	5/2	7/1	6/2	8/1
1/3	3/4	2/3	4/4	3/3	5/2	4/3	6/2	5/3	7/2	6/3	8/2
1/4	3/5	2/4	4/5	3/4	5/3	4/4	6/3	5/4	7/3	6/4	8/3
1/5	3/6	2/5	4/6	3/5	5/4	4/5	6/4	5/5	7/4	6/5	8/4
1/6	3/7	2/6	4/7	3/6	5/5	4/6	6/5	5/6	7/5	6/6	8/5
1/7	3/8	2/7	4/8	3/7	5/6	4/7	6/6	5/7	7/6	6/7	8/6
1/8	3/9	2/8	4/9	3/8	5/7	4/8	6/7	5/8	7/7	6/8	8/7
1/9	3/10	2/9	4/10	3/9	5/8	4/9	6/8	5/9	7/8	6/9	8/8
1/10	3/11	2/10	4/11	3/10	5/9	4/10	6/9	5/10	7/9	6/10	8/9
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1/12	3/13	2/12	4/13	3/12	5/11	4/12	6/11	5/12	7/11	6/12	8/11
1/13	3/14	2/13	4/14	3/13	5/12	4/13	6/12	5/13	7/12	6/13	8/12
1/14	3/15	2/14	4/15	3/14	5/13	4/14	6/13	5/14	7/13	6/14	8/13
1/15	3/16	2/15	4/16	3/15	5/14	4/15	6/14	5/15	7/14	6/15	8/14
1/16	3/17	2/16	4/17	3/16	5/15	4/16	6/15	5/16	7/15	6/16	8/15
1/17	3/18	2/17	4/18	3/17	5/16	4/17	6/16	5/17	7/16	6/17	8/16
1/18	3/19	2/18	4/19	3/18	5/17	4/18	6/17	5/18	7/17	6/18	8/17
1/19	3/20	2/19	4/20	3/19	5/18	4/19	6/18	5/19	7/18	6/19	8/18
1/20	3/21	2/20	4/21	3/20	5/19	4/20	6/19	5/20	7/19	6/20	8/19
1/21	3/22	2/21	4/22	3/21	5/20	4/21	6/20	5/21	7/20	6/21	8/20
1/22	3/23	2/22	4/23	3/22	5/21	4/22	6/21	5/22	7/21	6/22	8/21
1/23	3/24	2/23	4/24	3/23	5/22	4/23	6/22	5/23	7/22	6/23	8/22
1/24	3/25	2/24	4/25	3/24	5/23	4/24	6/23	5/24	7/23	6/24	8/23
1/25	3/26	2/25	4/26	3/25	5/24	4/25	6/24	5/25	7/24	6/25	8/24
1/26	3/27	2/26	4/27	3/26	5/25	4/26	6/25	5/26	7/25	6/26	8/25
1/27	3/28	2/27	4/28	3/27	5/26	4/27	6/26	5/27	7/26	6/27	8/26
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1/29	3/30			3/29	5/28	4/29	6/28	5/29	7/28	6/29	8/28
1/30	3/31			3/30	5/29	4/30	6/29	5/30	7/29	6/30	8/29
1/31	4/1			3/31	5/30			5/31	7/30		

July		August		September		October		November		December	
Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date
7/1	8/30	8/1	9/30	9/1	10/31	10/1	11/30	11/1	12/31	12/1	1/30
7/2	8/31	8/2	10/1	9/2	11/1	10/2	12/1	11/2	1/1	12/2	1/31
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7/17	9/15	8/17	10/16	9/17	11/16	10/17	12/16	11/17	1/16	12/17	2/15
7/18	9/16	8/18	10/17	9/18	11/17	10/18	12/17	11/18	1/17	12/18	2/16
7/19	9/17	8/19	10/18	9/19	11/18	10/19	12/18	11/19	1/18	12/19	2/17
7/20	9/18	8/20	10/19	9/20	11/19	10/20	12/19	11/20	1/19	12/20	2/18
7/21	9/19	8/21	10/20	9/21	11/20	10/21	12/20	11/21	1/20	12/21	2/19
7/22	9/20	8/22	10/21	9/22	11/21	10/22	12/21	11/22	1/21	12/22	2/20
7/23	9/21	8/23	10/22	9/23	11/22	10/23	12/22	11/23	1/22	12/23	2/21
7/24	9/22	8/24	10/23	9/24	11/23	10/24	12/23	11/24	1/23	12/24	2/22
7/25	9/23	8/25	10/24	9/25	11/24	10/25	12/24	11/25	1/24	12/25	2/23
7/26	9/24	8/26	10/25	9/26	11/25	10/26	12/25	11/26	1/25	12/26	2/24
7/27	9/25	8/27	10/26	9/27	11/26	10/27	12/26	11/27	1/26	12/27	2/25
7/28	9/26	8/28	10/27	9/28	11/27	10/28	12/27	11/28	1/27	12/28	2/26
7/29	9/27	8/29	10/28	9/29	11/28	10/29	12/28	11/29	1/28	12/29	2/27
7/30	9/28	8/30	10/29	9/30	11/29	10/30	12/29	11/30	1/29	12/30	2/28
7/31	9/29	8/31	10/30			10/31	12/30			12/31	3/1

REGISTER PUBLISHING DEADLINES

The Secretary of State's Office publishes the *Register* weekly. There is a three-week delay between the deadline date and the *Register* publication date. The weekly deadline dates (*first column*) and issue dates (*second column*) are shown below. Council meetings and *Register* deadlines do not correlate. Also listed are the earliest dates on which an oral proceeding can be held on proposed rulemakings or proposed delegation agreements, following publication of the notice in the *Register*.

Deadline Date Friday, 5:00 p.m. *(**early submission date due to holiday)*	***Register* Publication Date**	**Oral Proceeding may be scheduled on or after** *(*later date due to holiday)*
February 14, 2025	March 7, 2025	April 7, 2025
February 21, 2025	March 14, 2025	April 14, 2025
February 28, 2025	March 21, 2025	April 21, 2025
March 7, 2025	March 28, 2025	April 28, 2025
March 14, 2025	April 4, 2025	May 5, 2025
March 21, 2025	April 11, 2025	May 12, 2025
March 28, 2025	April 18, 2025	May 19, 2025
April 4, 2025	April 25, 2025	May 27, 2025
April 11, 2025	May 2, 2025	June 2, 2025
April 18, 2025	May 9, 2025	June 9, 2025
April 25, 2025	May 16, 2025	June 16, 2025
May 2, 2025	May 23, 2025	June 23, 2025
May 9, 2025	May 30, 2025	June 30, 2025
May 16, 2025	June 6, 2025	July 7, 2025
May 23, 2025	June 13, 2025	July 14, 2025
May 30, 2025	June 20, 2025	July 21, 2025
June 6, 2025	June 27, 2025	July 28, 2025
June 13, 2025	July 4, 2025	August 4, 2025
June 20, 2025	July 11, 2025	August 11, 2025
June 27, 2025	July 18, 2025	August 18, 2025
**July 3, 2025	July 25, 2025	August 25, 2025
July 11, 2025	August 1, 2025	*September 2, 2025
July 18, 2025	August 8, 2025	September 8, 2025
July 25, 2025	August 15, 2025	September 15, 2025
August 1, 2025	August 22, 2025	September 22, 2025
August 8, 2025	August 29, 2025	September 29, 2025
August 15, 2025	September 5, 2025	October 6, 2025
August 22, 2025	September 12, 2025	*October 14, 2025
August 29, 2025	September 19, 2025	October 20, 2025

GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES

The following deadlines apply to all Five-Year Review Reports and any adopted rule submitted to the Governor's Regulatory Review Council. Council meetings and *Register* deadlines do not correlate. We publish these deadlines under A.R.S. § 41-1013(B)(15).

All rules and Five-Year Review Reports are due in the Council office by 5 p.m. of the deadline date. The Council's office is located at 100 N. 15th Ave., Suite 305, Phoenix, AZ 85007. For more information, call (602) 542-2058 or visit https://grrc.az.gov.

GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES FOR 2024/2025

(MEETING DATES ARE SUBJECT TO CHANGE)

[M24-54]

*Materials must be submitted by **5 P.M.** on dates listed as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.

DEADLINE FOR PLACEMENT ON AGENDA*	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
Tuesday April 22, 2025	*Tuesday* May 20, 2025	***Wednesday*** May 28, 2025	*Tuesday* June 3, 2025
Tuesday May 20, 2025	*Tuesday* June 17, 2025	*Tuesday* June 24, 2025	*Tuesday* July 1, 2025
Tuesday June 17, 2025	*Tuesday* July 22, 2025	*Tuesday* July 29, 2025	*Tuesday* August 5, 2025
Tuesday July 22, 2025	*Tuesday* August 19, 2025	*Tuesday* August 26, 2025	***Wednesday*** September 3, 2025
Tuesday August 19, 2025	*Tuesday* September 23, 2025	*Tuesday* September 30, 2025	*Tuesday* October 7, 2025
Tuesday September 23, 2025	*Tuesday* October 21, 2025	*Tuesday* October 28, 2025	*Tuesday* November 4, 2025
Tuesday October 21, 2025	*Tuesday* November 18, 2025	*Tuesday* November 25, 2025	*Tuesday* December 2, 2025
Tuesday December 23, 2025	***Wednesday*** January 21, 2026	*Tuesday* January 27, 2026	*Tuesday* February 3, 2026