



ARIZONA STATE SENATE
Fifty-First Legislature, First Regular Session

FACT SHEET FOR H.B. 2393

state agencies; licensure; time frames

Purpose

Authorizes licensees or potential licensees to petition the Governor's Regulatory Review Council to require an agency to consider reducing the licensing time frame in the five-year report.

Background

Title 41, Chapter 6, Article 3, outlines the statutory requirements of agency, board and commission for rule making authority. Arizona Revised Statute (A.R.S) defines *rule making* as the process for formalization and finalization of a rule and a *rule* is an agency's statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedures or practice requirements of an agency (A.R.S. § 41-1001).

The Governor's Regulatory Review Council (GRRC) was created by Executive Order in May 1981 and later codified by statute in 1986. GRRC is composed of seven members and is chaired by the Director of the Department of Administration or their designee, who serves as an ex-officio member. For most agencies, GRRC is the final step in the rulemaking process. GRRC reviews most rules to ensure that they are necessary and to avoid duplication and adverse impact on the public. GRRC assesses whether a rule is clear, concise, understandable, legal and consistent with legislative intent within the agency's statutory authority. If a rule does not meet these criteria GRRC returns it to the agency within 90 days of its receipt for further consideration.

Current statute requires state agencies to review its rules at least once every five years to determine whether any rule should be amended or repealed. The agency must prepare and obtain GRRC's approval of a written report summarizing its findings, its supporting reasons and any proposed course of action (A.R.S. § 41-1056).

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

Provisions

1. Allows licensees or potential licensees to petition GRRC to require an agency to consider a recommendation for reducing the licensing time frame in the five-year report.
2. Makes technical changes.

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3. Becomes effective on the general effective date.

House Action

PSMRA	1/30/13	DP	8-0-0-0
3 rd Read	2/11/13		59-0-1-0

Prepared by Senate Research

February 22, 2013

SLL/YP/ly