

Rulemaking Docket¹
Financial Institutions Division
Article 1 - General
November 12, 2024

1. The subject matter of the proposed rule.

The subject matter of these rules is the authorized activities of the Director of the Department of Insurance and Financial Institutions pertaining to the Financial Institutions Division (the “Department”), and the interpretation and application of Arizona statutes and rules administered by the Department. The rules augment the statutory sections regulating licensees of the Department found at Title 6, Title 32, Chapters 9 and 36, and Title 44, Chapter 2.1. This rulemaking amends Title 6, Article 1 as follows:

R20-4-101 (Scope of Article) will be amended to replace “Superintendent” with “Director.”

R20-4-102 (Definitions) will be amended to:

- update the name of the Department;
- replace “Superintendent” with “Director;”
- add statutory references in the definition of “Affiliate;”
- add new definitions for “Back-office location,” “Department,” “Director,” “Loan underwriting,” and “Remote work location;”
- update the definitions for “Branch office,” “Directly or indirectly makes, negotiates, or offers to make or negotiate,” “Employee,” “Generally accepted accounting principles,” “Loan processing,” and “Reasonable investigation of the background;” and
- remove the definition for “Holds out to the public.”

R20-4-103 (Fingerprints) will be repealed as redundant (See A.R.S. 6-123.01).

R20-4-104 (Acceptance of Other Forms) will be amended to replace “Superintendent” with “Director;” and to remove “Financial Institutions” as the

¹ A.R.S. § 41-1021(B)

name of the Department.

R20-4-105 (Claims Against a Deposit in Place of Bond) will be amended to replace “Superintendent” with “Director,” and to correct a legal reference.

R20-4-106 (Bankruptcy) will be amended to replace “Superintendent” with “Director.”

R20-4-107 (Licensing Time-frames) will be amended to track with the Insurance Division statute on Licensing Time-frames language (R20-6-708) for consistency between the Insurance and Financial Institutions divisions.

Table A (Licensing Time-frames) will be amended to update timeframes and to add “Real Estate Appraisal.”

2. A citation to all published notices relating to the proceeding.

Docket Opening: 30 A.A.R. 3332, November 8, 2024

Notice of Proposed Rulemaking: 30 A.A.R. 3285, November 8, 2024

Notice of Final Rulemaking: TBD

3. 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 North 15th Ave., Suite 261, Phoenix, Arizona 85007-2630

Telephone: (602)364-3476

E-mail: mary.kosinski@difi.az.gov

4. Where written submissions on the proposed rule may be inspected.

Contact the person listed in Item 3.

5. The time during which written submissions may be made and the time and place where oral comments may be made.

November 8, 2024 through December 8, 2024 (See announcement on website regarding Comment Period.)

6. Where a copy of the economic, small business and consumer impact statement and the minutes of the pertinent council meeting may be inspected.

TBD

7. The current status of the proposed rule.

The Department has opened the Docket and published the Notice of Proposed Rulemaking (see Item 2). The Department is currently taking written comments or requests for an Oral Proceeding.

8. Any known timetable for agency decisions or other action in the proceeding.

TBD

9. The date the rule was sent to the council.

TBD

10. The date of the rule's filing and publication.

TBD

11. The date the rule was approved by the council.

TBD

12. When the rule will become effective.

TBD