

House Engrossed

State of Arizona
House of Representatives
Forty-fifth Legislature
First Regular Session
2001

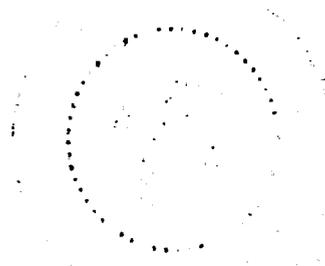
CHAPTER 132

HOUSE BILL 2444

AN ACT

AMENDING SECTION 32-2430, ARIZONA REVISED STATUTES; RELATING TO PRIVATE INVESTIGATORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



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

2 Section 1. Section 32-2430, Arizona Revised Statutes, is amended to
3 read:

4 32-2430. Exemptions

5 This chapter does not apply to:

6 1. An officer or employee of the federal government, this state or a
7 political subdivision of this state, while engaged in the official
8 performance of his THE OFFICER'S OR EMPLOYEE'S duties.

9 2. A person, firm or corporation, or an employee of a person, firm or
10 corporation, engaged in the business of obtaining and furnishing financial
11 ratings and personal information for others if the employee is not employed
12 or connected with any private investigator or private investigator's
13 business.

14 3. A practicing attorney ~~or~~ INVOLVED in a case for which he THE
15 ATTORNEY has been retained or a person employed under an employee-employer
16 relationship with a practicing attorney, in the employee's performance of
17 duties related to a case for which the attorney has been retained.

18 4. A collection agency licensed ~~as such~~ in this state, or its employee
19 while acting within the scope of his employment, while making an
20 investigation incidental to the business of the agency, including an
21 investigation of the location of a debtor or his THE DEBTOR'S property if the
22 contact CONTRACT with an assignor creditor is for the collection of claims
23 owed or due or asserted to be owed or due or its equivalent.

24 5. Insurance brokers, adjusters and agents licensed by this state in
25 performing their duties in connection with insurance transacted by them.

26 6. The legal owner of personal property that has been sold under a
27 sales agreement in making investigations relating to the sales agreement.

28 7. A member of the news media and its employees when engaged in
29 obtaining information for the purpose of disseminating news to the public.

30 8. Public service corporations engaged in transmitting messages,
31 furnishing public telegraph or telephone service or investigating the use or
32 misuse of their equipment and facilities or the use or misuse of the
33 equipment and facilities of any connecting telecommunications company.

34 9. Private process servers who are duly registered and performing
35 their duties pursuant to the Arizona rules of civil procedure.

36 10. A PERSON, FIRM OR CORPORATION, OR AN EMPLOYEE OF A PERSON, FIRM OR
37 CORPORATION, THAT, FOR ANY CONSIDERATION, OBSERVES CONSUMER PURCHASES OF
38 PRODUCTS OR SERVICES IN THE PUBLIC ENVIRONMENTS OF A BUSINESS ESTABLISHMENT
39 FOR THE PURPOSE OF EVALUATING CUSTOMER SERVICE, OPERATIONAL PROCEDURES,
40 CLEANLINESS, PRODUCT QUALITY AND AVAILABILITY IF ALL OF THE FOLLOWING APPLY:

41 (a) THE INFORMATION IS OBTAINED FROM QUESTIONNAIRES THAT THE BUSINESS
42 ESTABLISHMENT APPROVES IN ADVANCE OF USE.

1 (b) THE OBTAINED INFORMATION IS USED FOR EMPLOYEE TRAINING OR
2 INCENTIVES.

3 (c) THE OBTAINED INFORMATION IS NOT USED FOR PROSECUTION OF AN
4 EMPLOYEE.

5 (d) THE BUSINESS ESTABLISHMENT DOES NOT USE A SINGLE EVALUATION AS THE
6 ONLY BASIS FOR AN EMPLOYEE'S TERMINATION FROM EMPLOYMENT.

7 11. A PERSON OR ENTITY PERFORMING DUTIES PURSUANT TO STATUTE THAT IS
8 CERTIFIED OR REGISTERED BY THE SUPREME COURT.

~~APPROVED BY THE GOVERNOR APRIL 17, 2001.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2001.~~

Passed the House February 6, 2001,

by the following vote: 57 Ayes,

0 Nays, 3 Not Voting

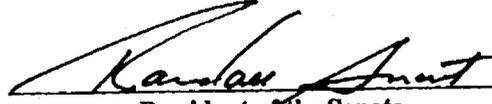

Speaker of the House


Chief Clerk of the House

Passed the Senate April 10, 2001,

by the following vote: 27 Ayes,

2 Nays, 1 Not Voting


President of the Senate


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

11 day of April, 2001,

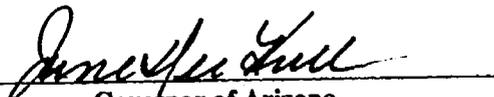
at 8:24 o'clock A M.


Secretary to the Governor

Approved this 17 day of

April, 2001,

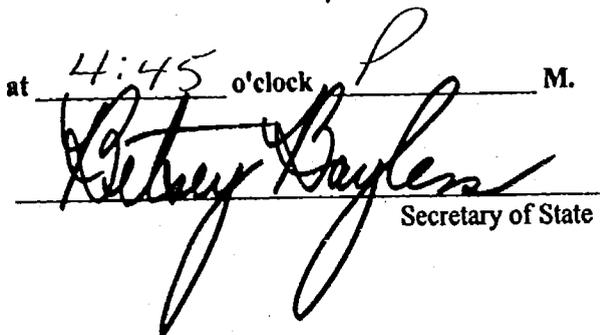
at 11:05 o'clock A M.


Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this 17 day of April, 2001,

at 4:45 o'clock P M.


Secretary of State

H.B. 2444