

House Engrossed

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

CHAPTER 49

HOUSE BILL 2453

AN ACT

AMENDING SECTIONS 32-2406, 32-2624, 32-2632 AND 32-2635, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 26, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-2638; RELATING TO PRIVATE INVESTIGATORS AND SECURITY GUARDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

E & E Correction

The title has a form correction to group amended sections together in proper order



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

2 Section 1. Section 32-2406, Arizona Revised Statutes, is amended to
3 read:

4 32-2406. Hearings and special meetings; quorum

5 A. The board shall hold hearings at a time and place determined by the
6 director. The board may hold special meetings the chairman determines
7 necessary to carry out the functions of the board.

8 B. A quorum consists of three members ~~and shall include one certified~~
9 ~~peace officer, one qualifying party licensed under this chapter and the~~
10 ~~public member.~~

11 Sec. 2. Section 32-2624, Arizona Revised Statutes, is amended to read:

12 32-2624. Issuance of security guard provisional certificate,
13 registration certificate and identification card to
14 applicant

15 A. The director may issue a provisional certificate to an applicant
16 who, on initial application for a registration certificate, complies with the
17 application requirements set forth in section 32-2623 and who on the face of
18 the application appears to meet the requirements of section 32-2622. The
19 provisional certificate is valid for no more than one hundred eighty days but
20 may be extended beyond its expiration date if there is an abnormal delay in
21 the completion of the investigation of the applicant's qualifications. The
22 director, his designee, the department or this state is not liable for any
23 civil damages for the issuance of a provisional certificate if the applicant
24 has falsified his application to conceal a prior criminal conviction.

25 B. The director shall, after investigation, issue a security guard
26 registration certificate or armed security guard registration certificate
27 under this article to any applicant who satisfactorily complies with the
28 provisions of this chapter. Each such registration certificate shall contain
29 the name and address of the registrant and the number of the certificate.
30 Such registration certificate shall be issued for three years.

31 C. Upon the issuance of such registration certificate, an
32 identification card as described in section 32-2633 shall be issued to such
33 registrant, which shall be evidence that such person is a duly registered
34 security guard. An A UNIFORMED armed security guard shall visibly display the
35 identification card at all times during the course of employment.

36 D. A security guard EMPLOYEE may ~~only~~ NOT possess or carry a firearm
37 ~~during the course of employment if~~ WHILE ON OFFICIAL DUTY UNLESS the person
38 is currently registered as an armed security guard and is authorized by the
39 person's employer to possess or carry the firearm.

40 E. A security guard shall notify the director within fifteen calendar
41 days of any change in his THE SECURITY GUARD'S name or residential address.

1 Sec. 3. Section 32-2632, Arizona Revised Statutes, is amended to read:
2 32-2632. Duty of licensee to provide training of security
3 guards; records; firearms training

4 A. An agency licensee shall provide for the training of all persons
5 employed as security guards before the expiration of the provisional
6 registration certificate. The required training curriculum shall be
7 established by the director.

8 B. Every agency licensee shall keep an accurate and current record of
9 pertinent information on all persons employed as security guards, which shall
10 be made available to the director in the event of an alleged violation of
11 this chapter.

12 C. ~~Effective July 1, 1992~~ At least eight SIXTEEN hours of firearms
13 instruction in the use of the weapon ~~provided by the agency licensee for use~~
14 USED by the security guard is required if a firearm is used within the scope
15 of employment. All firearms training and qualifications shall be conducted
16 by a firearms instructor certified by the director and shall be completed
17 before the security guard is assigned to any position requiring the carrying
18 of a firearm. The licensee shall provide a monthly report to the department
19 identifying all armed security guards employed by the agency.

20 D. The director shall adopt rules for BOTH OF THE FOLLOWING:

- 21 1. Certification of firearms instructors who provide the firearms
22 training required by subsection C.
23 2. A FIREARMS TRAINING CURRICULUM.

24 Sec. 4. Section 32-2635, Arizona Revised Statutes, is amended to read:
25 32-2635. Uniform and insignia

26 A. The particular type of uniform and insignia for a security guard
27 OR AN ARMED SECURITY GUARD shall be subject to approval by the director, and
28 shall be such that it will not deceive or confuse the public or be identical
29 with that of any law enforcement officer of the federal government, the state
30 or any political subdivision thereof. Shoulder identification patches shall
31 be worn on all uniform jackets, coats and shirts and shall include the name
32 of the agency licensee. Shoulder identification patches or emblems shall not
33 be less than two inches by three inches in size.

34 B. No badge or shield shall be worn or carried by a security guard,
35 AN armed security guard, ~~private policeman, special policeman, watchman,~~ or
36 AN employee or licensee REGISTRANT of any patrol service agency or private
37 security guard agency, unless previously approved by the director.

38 Sec. 5. Title 32, chapter 26, article 4, Arizona Revised Statutes, is
39 amended by adding section 32-2638, to read:

40 32-2638. Notice of arrest

41 WITHIN FORTY-EIGHT HOURS AFTER BEING ARRESTED, A PERSON LICENSED OR
42 REGISTERED PURSUANT TO THIS CHAPTER SHALL NOTIFY THE PERSON'S EMPLOYER AND
43 THE DEPARTMENT OF THE ARREST. WITHIN TWENTY-FOUR HOURS AFTER RECEIVING
44 NOTICE OF THE PERSON'S ARREST, THE EMPLOYER SHALL NOTIFY THE DEPARTMENT OF
45 THE ARREST.

1 Sec. 6. Private investigator and security guard study committee

2 A. The private investigator and security guard study committee is
3 established consisting of:

4 1. Three members of the house of representatives, not more than two
5 of whom are members of the same political party, appointed by the speaker of
6 the house of representatives.

7 2. Three members of the senate, not more than two of whom are members
8 of the same political party, appointed by the president of the senate.

9 3. One public member with experience in the private investigator
10 industry appointed by the speaker of the house of representatives.

11 4. One public member with experience in the security guard industry
12 appointed by the president of the senate.

13 5. One public member appointed by the governor.

14 6. The governor, or the governor's designee.

15 7. The director of the department of public safety, or the director's
16 designee.

17 B. The private investigator and security guard study committee shall
18 examine issues relating to private investigators and security guards in this
19 state, including:

20 1. Standards for hiring and training a private investigator and
21 security guard, including a statewide training standard for an armed security
22 guard.

23 2. The uniform and insignia that a private investigator and a security
24 guard wear, including the similarity of the uniform and insignia to a law
25 enforcement officer's uniform and insignia.

26 3. Fees for licensure and registration in the private investigator and
27 security guard industries.

28 4. Whether in-house security in places such as hotels, motels, bars,
29 stores and apartments should be regulated.

30 5. The problems and benefits of provisional certificates.

31 C. The private investigator and security guard study committee shall
32 submit a report of its findings and recommendations to the governor, the
33 president of the senate and the speaker of the house of representatives on
34 or before December 1, 2001 and shall provide a copy of this report to the
35 secretary of state and the director of the Arizona state library, archives
36 and public records.

37 Sec. 7. Delayed repeal

38 Section 6 of this act, relating to the study committee, is repealed
39 from and after December 31, 2001.

APPROVED BY THE GOVERNOR APRIL 4, 2001.
FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 4, 2001/

Passed the House February 19, 2001,

Passed the Senate March 28, 2001,

by the following vote: 40 Ayes,

by the following vote: 18 Ayes,

18 Nays, 2 Not Voting

12 Nays, 0 Not Voting


Speaker of the House


President of the Senate


Chief Clerk of the House

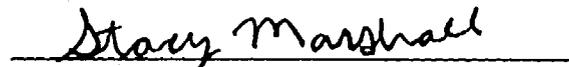

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

29 day of March, 2001,

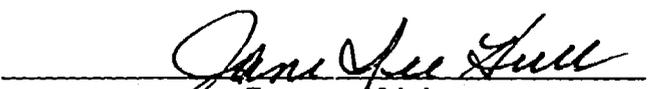
at 1:30 o'clock P M.


Secretary to the Governor

Approved this 4th day of

April, 2001,

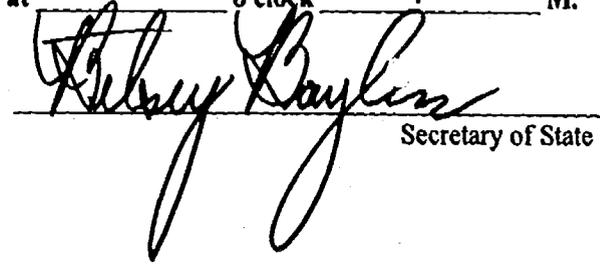
at 10:08 o'clock A M.


Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this 4 day of April, 2001,

at 4:50 o'clock P M.


Secretary of State

H.B. 2453