

State of Arizona  
House of Representatives  
Forty-sixth Legislature  
First Regular Session  
2003

CHAPTER 112

**HOUSE BILL 2280**

AN ACT

AMENDING SECTIONS 32-2401, 32-2422, 32-2441, 32-2457, 32-2601, 32-2602, 32-2607, 32-2612, 32-2622, 32-2624, 32-2636, 32-2641 AND 41-1713, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 26, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-2611; RELATING TO PRIVATE INVESTIGATORS AND SECURITY GUARDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 32-2401, Arizona Revised Statutes, is amended to  
3 read:

4 32-2401. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Advertising" means the submission of bids, contracting or making  
7 known by any public notice, publication or solicitation of business, directly  
8 or indirectly, that services regulated under this chapter are available for  
9 consideration.

10 2. "Agency license" means a certificate that is authenticated by the  
11 department and that attests that a qualifying party is authorized to conduct  
12 the business of private investigations in this state.

13 3. "Applicant" means a person who has submitted a completed  
14 application and all required application and fingerprint processing fees.

15 4. "Associate" means a person who is a partner or corporate officer  
16 in a private investigation agency.

17 5. "Board" means the private investigator and security guard hearing  
18 board established by section 32-2404.

19 6. "Conviction" means an adjudication of guilt by a federal, state or  
20 local court resulting from trial or plea, including a plea of no contest,  
21 regardless of whether the adjudication of guilt was set aside or vacated.

22 7. "Department" means the department of public safety.

23 8. "Director" means the director of the department of public safety.

24 9. "Emergency action" means a summary suspension of a license pending  
25 revocation, suspension or probation in order to protect the public health,  
26 safety or welfare.

27 10. "Employee" means an individual who works for an employer, is listed  
28 on the employer's payroll records and is under the employer's direction and  
29 control.

30 11. "Employer" means a person who is licensed pursuant to this chapter,  
31 who employs an individual for wages or salary, who lists the individual on  
32 the employer's payroll records and who withholds all legally required  
33 deductions and contributions.

34 12. "Identification card" means a card issued by the department to a  
35 qualified applicant for an agency license, an associate or a registrant.

36 13. "Insurance adjuster" means a person other than a private  
37 investigator who, for any consideration, engages in any of the activities  
38 prescribed in the definition of private investigator in this section in the  
39 course of adjusting or otherwise participating in the disposal of any claim  
40 under or in connection with a policy of insurance.

41 14. "Letter of concern" means an advisory letter to notify a private  
42 investigator that while there is insufficient evidence to support probation  
43 or suspension or revocation of a license the department believes the private  
44 investigator should modify or eliminate certain practices and that  
45 continuation of the activities that led to the information being submitted

1 to the department may result in further disciplinary action against the  
2 private investigator's license.

3 15. "Licensee" means a person to whom an agency license is granted  
4 pursuant to this chapter.

5 16. "Private investigator" means a person other than an insurance  
6 adjuster or an on-duty peace officer as defined in section 1-215 who, for any  
7 consideration, engages in business or accepts employment to:

8 (a) Furnish, ~~agrees~~ AGREE to make or ~~makes~~ MAKE any investigation for  
9 the purpose of obtaining information with reference to:

10 ~~(a)~~ (i) Crime or wrongs done or threatened against the United States  
11 or any state or territory of the United States.

12 ~~(b)~~ (ii) The identity, habits, conduct, movements, whereabouts,  
13 affiliations, associations, transactions, reputation or character of any  
14 person or group of persons.

15 ~~(c)~~ (iii) The credibility of witnesses or other persons.

16 ~~(d)~~ (iv) The whereabouts of missing persons, owners of abandoned  
17 property or escheated property or heirs to estates.

18 ~~(e)~~ (v) The location or recovery of lost or stolen property.

19 ~~(f)~~ (vi) The causes and origin of, or responsibility for, a fire,  
20 libel, slander, a loss, an accident, damage or an injury to real or personal  
21 property.

22 ~~(g)~~ (b) ~~The business of securing~~ SECURE evidence to be used before  
23 investigating committees or boards of award or arbitration or in the trial  
24 of civil or criminal cases and the preparation therefor.

25 ~~(h)~~ (c) ~~The business of investigating~~ INVESTIGATE threats of violence  
26 and PROVIDE the SERVICE OF protection of individuals from serious bodily harm  
27 or death.

28 17. "Qualifying party" means the individual meeting the qualifications  
29 under this chapter for an agency license.

30 18. "Registrant" means an employee of a licensed agency qualified to  
31 perform the services of the agency.

32 19. "Registration certificate" means a certificate that is  
33 authenticated by the department and that attests that an employee of a  
34 business holding an agency license has satisfactorily complied with article  
35 3 of this chapter.

36 20. "Restructuring" means any change in a business' legal status.

37 21. "Unprofessional conduct" means any of the following:

38 (a) Engaging or offering to engage by fraud or misrepresentation in  
39 activities regulated by this chapter.

40 (b) Aiding or abetting a person who is not licensed pursuant to this  
41 chapter in representing that person as a private investigator in this state.

42 (c) Gross negligence in the practice of a private investigator.

43 (d) Failing or refusing to maintain adequate records and investigative  
44 findings on a client. For purposes of this subdivision, "adequate records"  
45 means records containing, at a minimum, sufficient information to identify

1 the client, the dates of service, the fee for service, the payments for  
2 service, the type of service given and copies of any reports that may have  
3 been made.

4 (e) Committing a felony or a misdemeanor involving any crime that is  
5 grounds for denial, suspension or revocation of a private investigator  
6 license or employee identification card. In all cases, conviction by a  
7 court of competent jurisdiction or a plea of no contest is conclusive  
8 evidence of the commission.

9 (f) Making a fraudulent or untrue statement to the department, the  
10 board or its investigators, staff or consultants.

11 Sec. 2. Section 32-2422, Arizona Revised Statutes, is amended to read:  
12 32-2422. Qualification of applicant for agency license;  
13 substantiation of work experience

14 A. An applicant as a qualifying party for an agency license under this  
15 chapter shall:

16 1. Be at least twenty-one years of age.

17 2. Be a citizen or legal resident of the United States who is  
18 authorized to seek employment in the United States.

19 3. Not have been convicted of any felony or currently be under  
20 indictment for a felony.

21 4. Within the five years immediately preceding the application for an  
22 agency license, not have been convicted of any misdemeanor act involving:

23 (a) Personal violence or force against another person or threatening  
24 to commit any act of personal violence or force against another person.

25 (b) Misconduct involving a deadly weapon as provided in section  
26 13-3102.

27 (c) Dishonesty or fraud.

28 (d) Arson.

29 (e) Theft.

30 (f) Domestic violence.

31 (g) A violation of title 13, chapter 34 or 34.1 or an offense that has  
32 the same elements as an offense listed in title 13, chapter 34 or 34.1.

33 (h) Sexual misconduct.

34 5. Not be on parole, on community supervision, on work furlough, on  
35 home arrest, on release on any other basis or named in an outstanding arrest  
36 warrant.

37 6. Not be serving a term of probation pursuant to a conviction for any  
38 act of personal violence or domestic violence, as defined in section 13-3601,  
39 or an offense that has the same elements as an offense listed in section  
40 13-3601.

41 7. Not be any EITHER of the following:

42 (a) Adjudicated mentally incompetent.

43 (b) Found to constitute a danger to self or others pursuant to section  
44 13-36-540.

1 ~~(c) Suffering from a congenital mental condition, mental condition~~  
2 ~~resulting from injury or disease or developmental disabilities as defined in~~  
3 ~~section 36-551.~~

4 8. NOT HAVE A DISABILITY AS DEFINED IN SECTION 41-1461, UNLESS THAT  
5 PERSON IS A QUALIFIED INDIVIDUAL WITH A DISABILITY AS DEFINED IN SECTION  
6 41-1461.

7 ~~8.~~ 9. Not have been convicted of acting or attempting to act as a  
8 private investigation agency or a private investigator without a license if  
9 a license was required.

10 ~~9.~~ 10. Have had a minimum of three years of full-time investigative  
11 experience or the equivalent of three years of full-time investigative  
12 experience that consists of actual work performed as an investigator for a  
13 private concern, for the federal government or for a state, county or  
14 municipal government.

15 B. If the applicant for an agency license is a firm, partnership,  
16 association or corporation, the qualifications required by subsection A are  
17 required of the individual in active management who shall be the qualifying  
18 party of the firm, partnership, association or corporation.

19 C. Applicants for an agency license shall substantiate investigative  
20 work experience claimed as years of qualifying experience and provide the  
21 exact details as to the character and nature of the experience on a form  
22 prescribed by the department and certified by the employers. On written  
23 request, an employer shall submit to the employee a written certification of  
24 prior work experience within thirty days. The written certification is  
25 subject to independent verification by the director. If an employer goes out  
26 of business, the employer shall provide all employees with a complete and  
27 accurate record of their work history. If applicants are unable to supply  
28 written certification from an employer in whole or in part, applicants may  
29 offer written certification from persons other than an employer covering the  
30 same subject matter for consideration by the department. The burden of  
31 proving the minimum years of experience is on the applicant.

32 D. The department may deny an agency license if the department  
33 determines that the applicant does not meet the requirements of this section.

34 Sec. 3. Section 32-2441, Arizona Revised Statutes, is amended to read:  
35 32-2441. Qualification of applicant for associate or employee  
36 registration

37 An applicant for an associate or employee registration certificate  
38 shall:

- 39 1. Be at least eighteen years of age.
- 40 2. Be a citizen or legal resident of the United States who is  
41 authorized to seek employment in the United States.
- 42 3. Not have been convicted of any felony or currently be under  
43 indictment for a felony.

1           4. Within the five years immediately preceding the application for an  
2 ~~agency license~~ ASSOCIATE OR EMPLOYEE REGISTRATION CERTIFICATE, not have been  
3 convicted of any misdemeanor act involving:

4           (a) Personal violence or force against another person or threatening  
5 to commit any act of personal violence or force against another person.

6           (b) Misconduct involving a deadly weapon as provided in section  
7 13-3102.

8           (c) Dishonesty or fraud.

9           (d) Arson.

10          (e) Theft.

11          (f) Domestic violence.

12          (g) A violation of title 13, chapter 34 or 34.1 or an offense that has  
13 the same elements as an offense listed in title 13, chapter 34 or 34.1.

14          (h) Sexual misconduct.

15          5. Not be on parole, on community supervision, on work furlough, on  
16 home arrest, on release on any other basis or named in an outstanding arrest  
17 warrant.

18          6. Not be serving a term of probation pursuant to a conviction for any  
19 act of personal violence or domestic violence, as defined in section 13-3601,  
20 or an offense that has the same elements as an offense listed in section  
21 13-3601.

22          7. Not be any EITHER of the following:

23           (a) Adjudicated mentally incompetent.

24           (b) Found to constitute a danger to self or others pursuant to section  
25 36-540.

26           ~~(c) Suffering from a congenital mental condition, mental condition~~  
27 ~~resulting from injury or disease or developmental disabilities as defined in~~  
28 ~~section 36-551.~~

29          8. NOT HAVE A DISABILITY AS DEFINED IN SECTION 41-1461, UNLESS THAT  
30 PERSON IS A QUALIFIED INDIVIDUAL WITH A DISABILITY AS DEFINED IN SECTION  
31 41-1461.

32          ~~8.~~ 9. Not have been convicted of acting or attempting to act as a  
33 private investigator without a license if a license was required.

34          Sec. 4. Section 32-2457, Arizona Revised Statutes, is amended to read:

35          32-2457. Grounds for disciplinary action; emergency summary  
36 suspension; judicial review

37          A. The following constitute grounds for which disciplinary action  
38 specified in subsection B of this section may be taken against a licensee or  
39 registrant or, if the licensee is other than an individual, against the  
40 licensee's qualifying party or any of its associates, directors or managers:

41           1. Fraud or wilful misrepresentation in applying for an original  
42 license or registration or the renewal of an existing license or  
43 registration.

44           2. Using any letterhead, advertisement or other printed matter in any  
45 manner or representing that the licensee, associate, registrant or employee

1 of the licensee is an instrumentality of the federal government, a state or  
2 any political subdivision of a state.

3 3. Using a name that is different from that under which the licensee,  
4 associate, registrant or employee of the licensee is currently licensed for  
5 any advertisement, solicitation or contract to secure business unless the  
6 name is an authorized fictitious name.

7 4. Impersonating, permitting or aiding and abetting an employee to  
8 impersonate a law enforcement officer or employee of the United States, any  
9 state or a political subdivision of a state.

10 5. Knowingly violating, or advising, encouraging or assisting the  
11 violation of, any statute, court order, warrant or injunction in the course  
12 of a business regulated under this chapter.

13 6. Falsifying fingerprints, photographs or other documents while  
14 operating under this chapter.

15 7. Conviction of a felony.

16 8. Conviction of any act involving a weapon pursuant to section  
17 13-3102.

18 9. Conviction of any act of personal violence or force against any  
19 person or conviction of threatening to commit any act of personal violence  
20 or force against any person.

21 10. Soliciting business for an attorney in return for compensation.

22 11. Conviction of any act constituting dishonesty or fraud.

23 ~~12. Being placed on probation, parole or community supervision for any~~  
24 ~~crime or being named in an outstanding arrest warrant. BEING ON PAROLE, ON~~  
25 ~~COMMUNITY SUPERVISION, ON WORK FURLOUGH, ON HOME ARREST, ON RELEASE ON ANY~~  
26 ~~OTHER BASIS OR NAMED IN AN OUTSTANDING ARREST WARRANT.~~

27 13. SERVING A TERM OF PROBATION PURSUANT TO A CONVICTION FOR ANY ACT  
28 OF PERSONAL VIOLENCE OR DOMESTIC VIOLENCE AS DEFINED IN SECTION 13-3601 OR  
29 AN OFFENSE THAT HAS THE SAME ELEMENTS AS A DOMESTIC VIOLENCE OFFENSE LISTED  
30 IN SECTION 13-3601, SUBSECTION A.

31 ~~13.~~ 14. Committing or knowingly permitting any employee to commit any  
32 violation of this chapter or rules adopted pursuant to this chapter.

33 ~~14.~~ 15. Wilfully failing or refusing to render to a client services  
34 or a report as agreed between the parties and for which compensation has been  
35 paid or tendered in accordance with the agreement of the parties.

36 ~~15.~~ 16. The unauthorized release of information acquired on behalf of  
37 a client by a licensee, associate or registrant as a result of activities  
38 regulated under this chapter.

39 ~~16.~~ 17. Failing or refusing to cooperate with or refusing access to  
40 an authorized representative of the department engaged in an official  
41 investigation pursuant to this chapter.

42 ~~17.~~ 18. Employing or contracting with any unregistered or improperly  
43 registered person or unlicensed or improperly licensed person or agency to  
44 conduct activities regulated under this chapter if the licensure or

1 registration status was known or could have been ascertained by reasonable  
2 inquiry.

3 ~~18.~~ 19. Permitting, authorizing, aiding or in any way assisting a  
4 registered employee to conduct services as described in this chapter on an  
5 independent contractor basis and not under the authority of the licensed  
6 agency.

7 ~~19.~~ 20. Failing to maintain in full force and effect workers'  
8 compensation insurance, if applicable.

9 ~~20.~~ 21. Conducting private investigation services regulated by this  
10 chapter on an expired, revoked or suspended license or registration.

11 ~~21.~~ 22. Accepting employment, contracting or in any way engaging in  
12 employment that has an adverse impact on investigations being conducted on  
13 behalf of clients.

14 ~~22.~~ 23. Advertising in a false, deceptive or misleading manner.

15 ~~23.~~ 24. Failing to display on request the identification card issued  
16 by the department as required under section 32-2451, subsection B.

17 ~~24.~~ 25. Committing any act of unprofessional conduct.

18 B. On completion of an investigation, the director:

19 1. May dismiss the case.

20 2. May take emergency action.

21 3. May issue a letter of concern, if applicable.

22 4. May forward the findings to the board for review and possible  
23 disciplinary action.

24 5. Shall place all records, evidence, findings and conclusions and any  
25 other information pertinent to the investigation in the public records  
26 section of the file maintained at the department.

27 C. A letter of concern is a public document and may be used in future  
28 disciplinary actions against a licensee.

29 D. If the department finds, based on its investigation, that the  
30 public health, safety or welfare requires emergency action, the director may  
31 order a summary suspension of a license or registration pending proceedings  
32 for revocation or other action. If the director issues this order, the  
33 department shall serve the licensee or registrant with a written notice of  
34 complaint and formal hearing, setting forth the charges made against the  
35 licensee or registrant and the licensee's or registrant's right to a formal  
36 hearing before the board pursuant to title 41, chapter 6, article 10.

37 E. If the department finds, based on its investigation, that a  
38 violation of subsection A of this section occurred, a hearing by the board  
39 may be scheduled pursuant to title 41, chapter 6, article 10. The department  
40 shall send notice of the hearing by certified mail, return receipt requested,  
41 to the licensee's or registrant's last known address in the department's  
42 records.

43 F. Based on information the board receives during a hearing pursuant  
44 to title 41, chapter 6, article 10, it may recommend to the director that the  
45 director:

- 1 1. Dismiss the complaint if the board believes it is without merit.
- 2 2. Fix a period and terms of probation best adapted to protect the
- 3 public health and safety and to rehabilitate or educate the licensee or
- 4 registrant.
- 5 3. Place the license or registration on suspension for a period of not
- 6 more than twelve months.
- 7 4. Revoke the license or registration.
- 8 G. On a finding by the board and review and concurrence by the
- 9 director that a licensee or registrant committed a violation of subsection
- 10 A of this section, the probation, suspension or revocation applies to all
- 11 licenses or registrations held by a licensee or registrant under this
- 12 chapter.

13 H. Except as provided in section 41-1092.08, subsection H, a person  
14 may appeal a final administrative decision made pursuant to this section to  
15 the superior court pursuant to title 12, chapter 7, article 6.

16 Sec. 5. Section 32-2601, Arizona Revised Statutes, is amended to read:  
17 32-2601. Definitions

18 In this chapter, unless the context otherwise requires:

- 19 1. "Advertising" means submitting bids, contracting or making known  
20 by any public notice, publication or solicitation of business, directly or  
21 indirectly, that services regulated under this chapter are available for  
22 consideration.
- 23 2. "Agency license" means a certificate that is authenticated by the  
24 department and that attests that a qualifying party is authorized to conduct  
25 the business of private security guard service in this state.
- 26 3. "Applicant" means a person who has submitted a completed  
27 application and all required application and fingerprint processing fees.
- 28 4. "Armed security guard" means a registered security guard who wears,  
29 carries, possesses or has access to a firearm at any time during the course  
30 of employment.
- 31 5. "Associate" means a person who is a partner or corporate officer  
32 in a security guard agency.
- 33 6. "Board" means the private investigator and security guard hearing  
34 board established pursuant to section 32-2404.
- 35 7. "Conviction" means an adjudication of guilt by a federal, state or  
36 local court resulting from trial or plea, including a plea of no contest,  
37 regardless of whether or not the adjudication of guilt was set aside or  
38 vacated.
- 39 8. "Department" means the department of public safety.
- 40 9. "Director" means the director of the department of public safety.
- 41 10. "Emergency action" means a summary suspension of a license pending  
42 revocation, suspension or probation in order to protect the public health,  
43 safety or welfare.

1        11. "Employee" means an individual who works for an employer, is listed  
2 on the employer's payroll records and is under the employer's direction and  
3 control.

4        12. "Employer" means a person who is licensed pursuant to this chapter,  
5 who employs an individual for wages or salary, who lists the individual on  
6 the employer's payroll records and who withholds all legally required  
7 deductions and contributions.

8        13. "Identification card" means a card issued by the department to a  
9 qualified applicant for an agency license, to an associate or to a  
10 registrant.

11       14. "Letter of concern" means an advisory letter to notify a licensee  
12 OR REGISTRANT that while there is insufficient evidence to support probation,  
13 suspension or revocation of a license OR REGISTRATION the department believes  
14 the licensee OR REGISTRANT should modify or eliminate certain practices and  
15 that continuation of the activities that led to the information being  
16 submitted to the department may result in further disciplinary action against  
17 the licensee's PERSON'S license OR REGISTRATION.

18       15. "Licensee" means a person to whom an agency license is granted  
19 pursuant to article 2 of this chapter.

20       16. "Private security guard service" means any agency, individual or  
21 employer in the business of furnishing to the public for hire, fee or reward  
22 dogs, watchmen, patrol service, private security guards or other persons to  
23 protect human life or to prevent the theft or the misappropriation or  
24 concealment of goods, wares, merchandise, money, bonds, stocks, notes, choses  
25 in action or other property, valuable documents, papers and articles of  
26 value.

27       17. "Proprietary company" means a company that employs security guards  
28 or armed security guards solely for use of and service to itself and not for  
29 others.

30       ~~18. "Provisional certificate" means a security guard provisional~~  
31 ~~certificate issued to a security guard applicant after initial application~~  
32 ~~and payment of application and fingerprint processing fees.~~

33       ~~19.~~ 18. "Qualifying party" means the individual who meets the  
34 qualifications under this chapter for an agency license.

35       ~~20.~~ 19. "Registrant" means an employee of a licensed agency who is  
36 qualified to perform the services of a security guard.

37       ~~21.~~ 20. "Registration certificate" means a certificate that is  
38 authenticated by the department and that attests that an employee of a  
39 business holding an agency license has satisfactorily complied with article  
40 3 of this chapter.

41       ~~22.~~ 21. "Restructuring" means any change in a business' legal status.

42       ~~23.~~ 22. "Security guard" means any person employed by a private  
43 security guard service or proprietary company as a watchman, patrolman,  
44 bodyguard, personal protection guard, private security guard or other person  
45 who performs security guard services, but does not include any regularly

1 commissioned police or peace officer or railroad police appointed pursuant  
2 to section 40-856.

3 ~~24.~~ 23. "Unprofessional conduct" means any of the following:

4 (a) Engaging or offering to engage by fraud or misrepresentation in  
5 activities regulated by this chapter.

6 (b) Aiding or abetting a person who is not licensed or registered  
7 pursuant to this chapter in representing that person as a security guard in  
8 this state.

9 (c) Gross negligence in the practice of a security guard.

10 (d) Failing or refusing to maintain adequate records on a client  
11 containing at least sufficient information to identify the client, the dates  
12 of service, the fee for service and the payments for service.

13 (e) Committing a felony or a misdemeanor involving any crime that is  
14 grounds for denial, suspension or revocation of a security guard agency  
15 license or employee registration certificate. In all cases, conviction by  
16 a court of competent jurisdiction or a plea of no contest is conclusive  
17 evidence of the commission.

18 (f) Making a fraudulent or false statement to the department, the  
19 board or the department's investigators, staff or consultants.

20 Sec. 6. Section 32-2602, Arizona Revised Statutes, is amended to read:  
21 32-2602. Administration by director; duty to keep records;

22 rules

23 A. The director of the department of public safety shall administer  
24 this chapter.

25 B. The department shall keep a record of:

26 1. All applications for licenses or registration under this chapter.

27 2. ~~A statement as to Whether a license, registration certificate,~~  
28 ~~renewal license, OR renewal registration certificate or provisional~~  
29 ~~registration certificate has been issued under each application.~~

30 3. If a license or registration certificate is revoked or suspended,  
31 the date of filing the order for revocation or suspension.

32 4. A list of all individuals, qualifying parties, firms, partnerships,  
33 associations or corporations that have had licenses or registrations revoked  
34 or suspended and a written record of complaints filed against any licensees  
35 or registrants.

36 5. All insurance policies required to be filed under this chapter.

37 C. The department shall maintain all records kept pursuant to  
38 subsection B for at least five years. The records, except the financial  
39 statement of licensees, are open to inspection as public records.

40 D. The department shall adopt and enforce rules that are not in  
41 conflict with the laws of this state and that are necessary to enforce this  
42 chapter.

1           Sec. 7. Section 32-2607, Arizona Revised Statutes, is amended to read:  
2           32-2607. Fees; renewal of license or registration certificate

3           A. The department shall charge and collect reasonable fees as  
4 determined by the director to cover the operational and equipment costs of  
5 regulating the security guard industry.

6           B. An agency license granted under this chapter may be renewed after  
7 receiving an application on such form as the department prescribes, receipt  
8 of the fees prescribed pursuant to subsection A and proof of required  
9 liability insurance and workers' compensation. In no event shall renewal be  
10 granted more than ninety days after the expiration date of a license. No  
11 person, firm, company, partnership or corporation may carry on any business  
12 subject to this article during any period that may exist between the date of  
13 expiration of a license and the renewal of the license.

14           C. A security guard or armed security guard registration certificate  
15 granted under this article may be issued after application on such form as  
16 the department prescribes, the payment of fees prescribed pursuant to  
17 subsection A and proof of the completion of training as required by this  
18 chapter. ~~In no event shall the issuance be granted more than ninety days~~  
19 ~~after the expiration date of the provisional certificate. No person may act~~  
20 ~~or may be employed as a security guard or armed security guard during any~~  
21 ~~period that may exist between the date of expiration of the provisional~~  
22 ~~certificate and the issuance of the registration certificate.~~

23           D. A security guard or armed security guard registration certificate  
24 granted under this article may be renewed after application on such form as  
25 the department prescribes and the payment of renewal fees.

26           E. ~~The department shall not issue a registration certificate more than~~  
27 ~~ninety calendar days after expiration of the provisional certificate. The~~  
28 ~~department shall not renew an agency license or registration certificate more~~  
29 ~~than ninety calendar days after expiration. A licensee or registrant shall~~  
30 ~~not engage in any activity regulated by this chapter during any period~~  
31 ~~between the date of expiration of the license or registration and the renewal~~  
32 ~~of the license or registration.~~

33           F. The department may renew a suspended license or registration as  
34 provided in this chapter. While suspended, the renewal of the license or  
35 registration does not entitle the licensee, security guard or armed security  
36 guard to engage in any activity regulated by this chapter or in any other  
37 activity or conduct in violation of the order or judgment that suspended the  
38 license or registration certificate.

39           G. The department shall not renew a revoked license or registration  
40 certificate. The department shall not accept an application for a license  
41 or registration from a person whose license or registration has been revoked  
42 until at least one year after the date of revocation.

1           Sec. 8. Title 32, chapter 26, article 2, Arizona Revised Statutes, is  
2 amended by adding section 32-2611, to read:

3           32-2611. Necessity of an agency license

4           A PERSON SHALL NOT ENGAGE IN A BUSINESS REGULATED BY THIS CHAPTER OR  
5 ACT, ASSUME TO ACT AS OR REPRESENT HIMSELF TO BE A LICENSEE UNLESS THE PERSON  
6 IS LICENSED PURSUANT TO THIS CHAPTER.

7           Sec. 9. Section 32-2612, Arizona Revised Statutes, is amended to read:  
8 32-2612. Qualifications of applicant for agency license:

9                           substantiation of work experience

10          A. Each applicant, if an individual, or each associate, director or  
11 manager, if the applicant is other than an individual, for an agency license  
12 to be issued pursuant to this chapter shall:

13           1. Be at least twenty-one years of age.

14           2. Be a citizen or a legal resident of the United States who is  
15 authorized to seek employment in the United States.

16           3. Not have been convicted of any felony or currently be under  
17 indictment for a felony.

18           4. Within the five years immediately preceding the application for an  
19 agency license, not have been convicted of any misdemeanor act involving:

20           (a) Personal violence or force against another person or threatening  
21 to commit any act of personal violence or force against another person.

22           (b) Misconduct involving a deadly weapon as provided in section  
23 13-3102.

24           (c) Dishonesty or fraud.

25           (d) Arson.

26           (e) Theft.

27           (f) Domestic violence.

28           (g) A violation of title 13, chapter 34 or 34.1 or an offense that has  
29 the same elements as an offense listed in title 13, chapter 34 or 34.1.

30           (h) Sexual misconduct.

31           5. Not be on parole, on community supervision, on work furlough, on  
32 home arrest, on release on any other basis or named in an outstanding arrest  
33 warrant.

34           6. Not be serving a term of probation pursuant to a conviction for any  
35 act of personal violence or domestic violence, as defined in section 13-3601,  
36 or an offense that has the same elements as an offense listed in section  
37 13-3601.

38           7. Not be any EITHER of the following:

39           (a) Adjudicated mentally incompetent.

40           (b) Found to constitute a danger to self or others pursuant to section  
41 36-540.

42           ~~(c) Suffering from a congenital mental condition, mental condition~~  
43 ~~resulting from injury or disease or developmental disabilities as defined in~~  
44 ~~section 36-551.~~

1 8. NOT HAVE A DISABILITY AS DEFINED IN SECTION 41-1461, UNLESS THAT  
2 PERSON IS A QUALIFIED INDIVIDUAL WITH A DISABILITY AS DEFINED IN SECTION  
3 41-1461.

4 ~~8.~~ 9. Not have been convicted of acting or attempting to act as a  
5 security guard or a security guard agency without a license if a license was  
6 required.

7 ~~9. Have at least three years of full-time experience as a manager,  
8 supervisor or administrator of a security guard agency or three years of  
9 full-time supervisory experience with any federal, United States military,  
10 state, county or municipal law enforcement agency.~~

11 B. ~~An applicant for an agency license~~ THE QUALIFYING PARTY FOR AN  
12 AGENCY LICENSE AND THE RESIDENT MANAGER, IF A RESIDENT MANAGER IS REQUIRED,  
13 SHALL HAVE AT LEAST THREE YEARS OF FULL-TIME EXPERIENCE AS A MANAGER,  
14 SUPERVISOR OR ADMINISTRATOR OF A SECURITY GUARD AGENCY OR THREE YEARS OF  
15 FULL-TIME SUPERVISORY EXPERIENCE WITH ANY FEDERAL, UNITED STATES MILITARY,  
16 STATE, COUNTY OR MUNICIPAL LAW ENFORCEMENT AGENCY. THE QUALIFYING PARTY FOR  
17 AN AGENCY LICENSE AND THE RESIDENT MANAGER, IF A RESIDENT MANAGER IS  
18 REQUIRED, must substantiate managerial work experience claimed as years of  
19 qualifying experience and provide the exact details as to the character and  
20 nature of the experience on a form prescribed by the department and certified  
21 by the employer. On written request, an employer shall submit to the  
22 employee a written certification of prior work experience within thirty  
23 calendar days. The written certification is subject to independent  
24 verification by the department. If an employer goes out of business, the  
25 employer shall provide registered employees with a complete and accurate  
26 record of their work history. If an applicant is unable to supply written  
27 certification from an employer in whole or in part, the applicant may offer  
28 written certification from persons other than an employer covering the same  
29 subject matter for consideration by the department. The burden of proving  
30 the minimum years of experience is on the applicant.

31 C. The department may deny an agency license if the department  
32 determines that the applicant is unfit based on a conviction, citation or  
33 encounter with law enforcement for a statutory violation.

34 Sec. 10. Section 32-2622, Arizona Revised Statutes, is amended to  
35 read:

36 32-2622. Qualifications of applicant for associate security  
37 guard or armed security guard registration  
38 certificate

39 A. An applicant for an associate or a security guard registration  
40 certificate issued pursuant to this article shall:

- 41 1. Be at least eighteen years of age.
- 42 2. Be a citizen or legal resident of the United States who is  
43 authorized to seek employment in the United States.
- 44 3. Not have been convicted of any felony or currently be under  
45 indictment for a felony.

1           4. Within the five years immediately preceding the application for an  
2 ~~agency license~~ ASSOCIATE, SECURITY GUARD OR ARMED SECURITY GUARD REGISTRATION  
3 CERTIFICATE, not have been convicted of any misdemeanor act involving:

4           (a) Personal violence or force against another person or threatening  
5 to commit any act of personal violence or force against another person.

6           (b) Misconduct involving a deadly weapon as provided in section  
7 13-3102.

8           (c) Dishonesty or fraud.

9           (d) Arson.

10          (e) Theft.

11          (f) Domestic violence.

12          (g) A violation of title 13, chapter 34 or 34.1 or an offense that has  
13 the same elements as an offense listed in title 13, chapter 34 or 34.1.

14          (h) Sexual misconduct.

15          5. Not be on parole, on community supervision, on work furlough, on  
16 home arrest, on release on any other basis or named in an outstanding arrest  
17 warrant.

18          6. Not be serving a term of probation pursuant to a conviction for any  
19 act of personal violence or domestic violence, as defined in section 13-3601,  
20 or an offense that has the same elements as an offense listed in section  
21 13-3601.

22          7. Not be any EITHER of the following:

23           (a) Adjudicated mentally incompetent.

24           (b) Found to constitute a danger to self or others pursuant to section  
25 36-540.

26           ~~(c) Suffering from a congenital mental condition, mental condition~~  
27 ~~resulting from injury or disease or developmental disabilities as defined in~~  
28 ~~section 36-551.~~

29          8. NOT HAVE A DISABILITY AS DEFINED IN SECTION 41-1461, UNLESS THAT  
30 PERSON IS A QUALIFIED INDIVIDUAL WITH A DISABILITY AS DEFINED IN SECTION  
31 41-1461.

32          ~~8.~~ 9. Not have been convicted of acting or attempting to act as an  
33 associate security guard or armed security guard without a license if a  
34 license was required.

35          B. An applicant for an armed security guard registration certificate  
36 issued pursuant to this chapter shall:

37           1. Meet the requirements of subsection A of this section.

38           2. Successfully complete all background screening and training  
39 requirements.

40           3. Not be a prohibited possessor as defined in section 13-3101 or as  
41 described in 18 United States Code section 922.

42           4. Not have been discharged from the armed services of the United  
43 States under other than honorable conditions.

44           5. Not have been convicted of any crime involving domestic violence  
45 as defined in section 13-3601.

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

3           32-2624. Issuance of security guard registration certificate  
4                                   and identification card

5           ~~A. The department may issue a provisional certificate to an applicant~~  
6 ~~who, on initial application for a registration certificate, complies with the~~  
7 ~~application requirements set forth in section 32-2623 and who on the face of~~  
8 ~~the application appears to meet the requirements of section 32-2622. The~~  
9 ~~provisional certificate is valid for no more than ninety days but may be~~  
10 ~~extended beyond its expiration date if there is an abnormal delay in the~~  
11 ~~completion of the investigation of the applicant's qualifications. The~~  
12 ~~director, the director's designee, the department or this state is not liable~~  
13 ~~for any civil damages for the issuance of a provisional certificate if the~~  
14 ~~applicant has falsified the application to conceal a prior criminal~~  
15 ~~conviction.~~

16           ~~B. A. After investigation, the department shall issue a security~~  
17 ~~guard registration certificate or armed security guard registration~~  
18 ~~certificate under this chapter to any applicant who satisfactorily complies~~  
19 ~~with this chapter. Each security guard registration certificate shall~~  
20 ~~contain the name and address of the registrant and the number of the~~  
21 ~~certificate and shall be issued for two years.~~

22           ~~C. B. When a security guard registration certificate is issued, an~~  
23 ~~identification card as described in section 32-2633 shall be issued to the~~  
24 ~~registrant. The identification card is evidence that the person is a duly~~  
25 ~~registered security guard. An employee must obtain an armed security guard~~  
26 ~~registration certificate and identification card for each sponsoring agency~~  
27 ~~licensee.~~

28           ~~D. C. A security guard employee may not possess or carry a firearm~~  
29 ~~while on official duty unless the employee is currently registered as an~~  
30 ~~armed security guard and is authorized by the person's employer to possess~~  
31 ~~or carry the firearm.~~

32           ~~E. D. A security guard shall notify the director within fifteen~~  
33 ~~calendar days of any change in the security guard's name or residential~~  
34 ~~address.~~

35           ~~F. E. Effective January 3, 2003, The department shall not issue a~~  
36 ~~security guard provisional certificate.~~

37           Sec. 12. Section 32-2636, Arizona Revised Statutes, is amended to  
38 read:

39           32-2636. Grounds for disciplinary action; emergency summary  
40                                   suspension; judicial review

41           A. The following constitute grounds for disciplinary action against  
42 a licensee or registrant, or if the licensee is other than an individual,  
43 against its qualifying party or any of its associates, directors or managers:

44           1. Using any letterhead, advertisement or other printed matter to  
45 represent, or in any other manner representing, that the licensee,

1 registrant, qualifying party or associate, director or manager is an  
2 instrumentality of the federal government or any state or political  
3 subdivision of a state.

4 2. Using a name that is different from that under which the licensee,  
5 registrant, qualifying party or associate, director or manager is currently  
6 licensed or registered for any advertisement, solicitation or contract to  
7 secure business under this chapter unless the name is an authorized  
8 fictitious name.

9 3. Falsifying fingerprints, photographs or other documents while  
10 operating pursuant to this chapter.

11 4. Impersonating, or permitting or aiding and abetting an employee to  
12 impersonate, a law enforcement officer or employee of the United States or  
13 any state or political subdivision of a state.

14 5. Knowingly violating, or advising, encouraging or assisting in the  
15 violation of, any statute, court order, warrant or injunction in the course  
16 of business as a licensee or registrant under this chapter.

17 6. Committing or knowingly permitting any employee to commit any  
18 violation of this chapter or rules adopted pursuant to this chapter.

19 7. Committing an act of misconduct involving a weapon pursuant to  
20 section 13-3102.

21 8. Conviction of a felony.

22 9. Conviction of any act of personal violence or force against any  
23 person or conviction of threatening to commit any act of personal violence  
24 or force against any person.

25 10. Fraud or wilful misrepresentation in applying for an original  
26 license or registration or the renewal of an existing license or  
27 registration.

28 11. Soliciting business for an attorney in return for compensation.

29 12. Conviction of any act constituting fraud.

30 13. ~~Being placed on probation, parole or community supervision for any~~  
31 ~~crime or being named in an outstanding arrest warrant.~~ BEING ON PAROLE, ON  
32 COMMUNITY SUPERVISION, ON WORK FURLOUGH, ON HOME ARREST, ON RELEASE ON ANY  
33 OTHER BASIS OR NAMED IN AN OUTSTANDING ARREST WARRANT.

34 14. SERVING A TERM OF PROBATION PURSUANT TO A CONVICTION FOR ANY ACT  
35 OF PERSONAL VIOLENCE OR DOMESTIC VIOLENCE AS DEFINED IN SECTION 13-3601 OR  
36 AN OFFENSE THAT HAS THE SAME ELEMENTS AS A DOMESTIC VIOLENCE OFFENSE LISTED  
37 IN SECTION 13-3601, SUBSECTION A.

38 ~~14.~~ 15. Wilfully failing or refusing to render client services or a  
39 report as agreed between the parties and for which compensation has been paid  
40 or tendered pursuant to the agreement of the parties.

41 ~~15.~~ 16. The unauthorized release of information acquired on behalf of  
42 a client by a licensee, associate or registrant as a result of activities  
43 regulated under this chapter.

1       ~~16.~~ 17. Failing or refusing to cooperate with or refusing access to  
2 an authorized representative of the department engaged in an official  
3 investigation pursuant to this chapter.

4       ~~17.~~ 18. Employing or contracting with any unregistered or improperly  
5 registered person or unlicensed or improperly licensed person or agency to  
6 conduct activities regulated under this chapter if the licensure or  
7 registration status was known or could have been ascertained by reasonable  
8 inquiry.

9       ~~18.~~ 19. Permitting, authorizing, aiding or in any way assisting a  
10 registered employee to conduct services as described in this chapter on an  
11 independent contractor basis and not under the authority of the licensed  
12 agency.

13       ~~19.~~ 20. Failing to maintain in full force and effect workers'  
14 compensation insurance, if applicable.

15       ~~20.~~ 21. Conducting security guard services regulated by this chapter  
16 on an expired, revoked or suspended license or registration.

17       ~~21.~~ 22. Accepting employment, contracting or in any way engaging in  
18 employment that has an adverse impact on security guard services being  
19 conducted on behalf of clients.

20       ~~22.~~ 23. Advertising in a false, deceptive or misleading manner.

21       ~~23.~~ 24. Failing to display on request the identification card issued  
22 by the department pursuant to section 32-2624.

23       ~~24.~~ 25. Committing any act of unprofessional conduct.

24       B. An officer, director, associate, partner, qualifying party,  
25 employee or manager of the holder of an agency license issued pursuant to  
26 this chapter who is found in violation of this chapter shall be denied the  
27 privilege of operating under such a license. The remaining officers,  
28 directors, associates, partners, employees or managers of such licensee who  
29 are innocent of such violations may carry on the business.

30       C. Any person aggrieved by a decision of the director may request a  
31 hearing pursuant to title 41, chapter 6, article 10. Except as provided in  
32 section 41-1092.08, subsection H, final decisions of the director are subject  
33 to judicial review pursuant to title 12, chapter 7, article 6.

34       D. On completion of an investigation, the director:

35       1. May dismiss the case.

36       2. May take emergency action.

37       3. May issue a letter of concern, if applicable.

38       4. May forward the findings to the board for review and possible  
39 disciplinary action.

40       5. Shall place all records, evidence, findings and conclusions and any  
41 other information pertinent to the investigation in the public records  
42 section of the file maintained at the department.

43       E. A letter of concern is a public document and may be used in future  
44 disciplinary actions against a licensee or registrant.

1 F. If the department finds, based on its investigation, that the  
2 public health, safety or welfare requires emergency action, the director may  
3 order a summary suspension of a license or registration pending proceedings  
4 for revocation or other action. If the director issues this order, the  
5 department shall serve the licensee or registrant with a written notice of  
6 complaint and formal hearing, setting forth the charges made against the  
7 licensee or registrant and the licensee's or registrant's right to a formal  
8 hearing before the board pursuant to title 41, chapter 6, article 10.

9 G. If the department finds, based on its investigation, that a  
10 violation of subsection A of this section occurred, a hearing by the board  
11 may be scheduled pursuant to title 41, chapter 6, article 10. Notice of the  
12 hearing shall be sent by certified mail, return receipt requested, to the  
13 licensee's or registrant's last known address in the department's files.

14 H. Based on information the board receives during a hearing pursuant  
15 to title 41, chapter 6, article 10, it may recommend to the director that the  
16 director:

17 1. Dismiss the complaint if the board believes it is without merit.  
18 2. Fix a period and terms of probation best adapted to protect the  
19 public health and safety and to rehabilitate or educate the licensee or  
20 registrant.

21 3. Place the license or registration on suspension for a period of not  
22 more than twelve months.

23 4. Revoke the license or registration.

24 I. The director shall review the records of a finding by the board  
25 involving a disciplinary action and may affirm, reverse, adopt, modify,  
26 supplement, amend or reject the recommendation of the board. On a finding  
27 by the board and review and concurrence by the director that a licensee or  
28 registrant committed a violation of subsection A of this section, the  
29 probation, suspension or revocation applies to all licenses or registrations  
30 held by a licensee or registrant under this chapter.

31 Sec. 13. Section 32-2641, Arizona Revised Statutes, is amended to  
32 read:

33 32-2641. Grounds for refusal to issue a security guard  
34 identification card or registration certificate;  
35 judicial review

36 A. The department may deny the issuance of an identification card to  
37 an applicant for ~~a security guard provisional certificate~~; a security guard  
38 registration certificate or an armed security guard registration certificate  
39 if the applicant:

40 1. Does not meet the requirements prescribed in section 32-2622 for  
41 the appropriate type of certificate.

42 2. Has committed any act which would be grounds for the suspension or  
43 revocation of a security guard registration pursuant to this chapter.

44 3. Has knowingly made any statement which is false in the application.

1 B. If the director determines that an applicant's criminal history  
2 contains open arrest information, the director shall:

3 1. Issue a notice to the applicant allowing forty-five days for the  
4 applicant to provide documentation concerning the disposition of the arrest  
5 or arrests.

6 2. Send to the applicant at the applicant's last known residential  
7 address sufficient information to assist the applicant in complying with the  
8 director's request under paragraph 1 of this subsection.

9 C. The denial of the issuance of a registration certificate under this  
10 article shall be in writing and shall describe the basis for the denial. The  
11 denial notice shall inform the applicant that if the applicant desires a  
12 hearing by the board to contest the denial the applicant shall submit the  
13 request in writing to the department within thirty calendar days after  
14 service of the denial notice. Service is complete on the mailing of the  
15 denial to the address listed on the application.

16 D. Except as provided in section 41-1092.08, subsection H, final  
17 decisions of the director are subject to judicial review pursuant to title  
18 12, chapter 7, article 6.

19 Sec. 14. Section 41-1713, Arizona Revised Statutes, is amended to  
20 read:

21 41-1713. Powers and duties of director; authentication of  
22 records

23 A. The director of the department shall:

24 1. Be the administrative head of the department.

25 2. Subject to the merit system rules, appoint, suspend, demote,  
26 promote or dismiss all other classified employees of the department upon the  
27 recommendation of their respective division superintendent. The director  
28 shall determine and furnish the law enforcement merit system council  
29 established by section 41-1830.11 with a table of organization. The  
30 superintendent of each division shall serve at the concurrent pleasure of the  
31 director and the governor.

32 3. Make rules necessary for the operation of the department.

33 4. Annually submit a report of the work of the department to the  
34 governor and the legislature, or more often if requested by the governor or  
35 the legislature.

36 5. Appoint a deputy director with the approval of the governor.

37 6. Adopt an official seal which shall contain the words "department  
38 of public safety" encircling the seal of this state as part of its design.

39 7. Investigate, on receipt, credible evidence that a licensee or  
40 registrant has been arrested for, charged with or convicted of an offense  
41 that would preclude the person from holding a license, ~~provisional~~  
42 ~~certificate~~ or registration certificate issued pursuant to title 32, chapter  
43 26.

44 8. Cooperate with the Arizona-Mexico commission in the governor's  
45 office and with researchers at universities in this state to collect data and

1 conduct projects in the United States and Mexico on issues that are within  
2 the scope of the department's duties and that relate to quality of life,  
3 trade and economic development in this state in a manner that will help the  
4 Arizona-Mexico commission to assess and enhance the economic competitiveness  
5 of this state and of the Arizona-Mexico region.

6 8. The director may:

7 1. Issue commissions to officers of the department.

8 2. Request the cooperation of the utilities, communication media and  
9 public and private agencies and any sheriff or other peace officer in any  
10 county or municipality, within the limits of their respective jurisdictions  
11 when necessary, to aid and assist in the performance of any duty imposed by  
12 this chapter.

13 3. Cooperate with any public or private agency or person to receive  
14 or give necessary assistance and may contract for such assistance subject to  
15 legislative appropriation controls.

16 4. Utilize the advice of the board and cooperate with sheriffs, local  
17 police and peace officers within the state for the prevention and discovery  
18 of crimes, the apprehension of criminals and the promotion of public safety.

19 5. Acquire in the name of the state, either in fee or lesser estate  
20 or interest, any real or personal property which the director considers  
21 necessary for the department's use, by purchase, donation, dedication,  
22 exchange or other lawful means. All acquisitions of personal property  
23 pursuant to this paragraph shall be made as prescribed in chapter 23 of this  
24 title unless otherwise provided by law.

25 6. Dispose of any property, real or personal, or any right, title or  
26 interest therein, when the director determines that such property is no  
27 longer needed or necessary for the department's use. Disposition of personal  
28 property shall be as prescribed in chapter 23 of this title. The real  
29 property shall be sold by public auction or competitive bidding after notice  
30 published in a daily newspaper of general circulation, not less than three  
31 times, two weeks prior to the sale and subject to the approval of the  
32 director of the department of administration. When real property is sold,  
33 it shall not be sold for less than the appraised value as established by a  
34 competent real estate appraiser. Any funds derived from the disposal of real  
35 or personal property shall be deposited in the Arizona highway patrol fund  
36 as authorized by section 41-1752, subsection B, paragraph 6.

37 7. Sell, lend or lease personal property directly to any state, county  
38 or local law enforcement agency. Such personal property may be sold or  
39 leased at a predetermined price without competitive bidding. Any state,  
40 county or local law enforcement agency receiving such property may not resell  
41 or lease such property to any person or organization except for educational  
42 purposes.

43 8. Dispose of surplus property by transferring such property to the  
44 department of administration for disposition to another state budget unit or

1 political subdivision if such state budget unit or political subdivision is  
2 not a law enforcement agency.

3 9. Lease or rent personal property directly to any state law  
4 enforcement officer for the purpose of traffic safety, traffic control or  
5 other law enforcement related activity.

6 10. Sell for one dollar, without public bidding, the department issued  
7 handgun or shotgun to a department officer on duty related retirement  
8 pursuant to title 38, chapter 5, article 4. Any funds derived from the sale  
9 of the handgun or shotgun to the retiring department officer shall be  
10 deposited in the Arizona highway patrol fund as authorized by section  
11 41-1752, subsection B, paragraph 6.

12 11. Conduct state criminal history records checks for the purpose of  
13 updating and verifying the status of current licensees or registrants who  
14 have a license or certificate issued pursuant to title 32, chapter 26. The  
15 director shall investigate, upon receipt, credible evidence that a licensee  
16 or registrant has been arrested for, charged with or convicted of an offense  
17 that would preclude the person from holding a ~~provisional license or~~  
18 registration certificate issued pursuant to title 32, chapter 26.

19 12. Grant a maximum of two thousand eighty hours of industrial injury  
20 leave to any sworn department employee who is injured in the course of the  
21 employee's duty and whose work-related injury prevents the employee from  
22 performing the normal duties of that employee's classification. This  
23 industrial injury leave is in addition to any vacation or sick leave earned  
24 or granted to the employee and does not affect the employee's eligibility for  
25 any other benefits, including workers' compensation. On retirement or  
26 separation from the department or on reclassification to civilian status, the  
27 employee forfeits any unused industrial injury leave and is not eligible for  
28 payment pursuant to section 38-615. Subject to approval by the law  
29 enforcement merit system council, the director shall adopt rules and  
30 procedures regarding industrial injury leave hours granted pursuant to this  
31 paragraph.

32 C. The director and any employees of the department which the director  
33 designates in writing may use the seal adopted pursuant to subsection A,  
34 paragraph 6 of this section to fully authenticate any department records and  
35 copies of these records. These authenticated records or authenticated copies  
36 of records shall be judicially noticed and shall be received in evidence by  
37 the courts of this state without any further proof of their authenticity.

APPROVED BY THE GOVERNOR APRIL 28, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 28, 2003.

Passed the House February 10, 2003,

Passed the Senate April 8, 2003,

by the following vote: 41 Ayes,

by the following vote: 24 Ayes,

16 Nays, 2 Not Voting

6 Nays, 0 Not Voting

Jake Flake  
Speaker of the House

Ken Bennett  
President of the Senate

Norman L. Moore  
Chief Clerk of the House

Chaimen Belmont  
Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

H.B. 2280

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

\_\_\_\_\_ April 23, 2003.

by the following vote: \_\_\_\_\_ 52 Ayes,

\_\_\_\_\_ 8 Nays, \_\_\_\_\_ 0 Not Voting

\_\_\_\_\_  
Jake Flake  
Speaker of the House

\_\_\_\_\_  
Norman L. Irvine  
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

\_\_\_\_\_ 23 day of April, 2003,

at \_\_\_\_\_ 11:44 o'clock A M.

\_\_\_\_\_  
Sandra Hamisey  
Secretary to the Governor

Approved this \_\_\_\_\_ 28 \_\_\_\_\_ day of

\_\_\_\_\_ April, 2003,

at \_\_\_\_\_ 3<sup>35</sup> o'clock \_\_\_\_\_ P. M.

\_\_\_\_\_  
Jt Rep. K  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State  
this \_\_\_\_\_ 28 day of \_\_\_\_\_ April, 2003,

at \_\_\_\_\_ 4:51 o'clock \_\_\_\_\_ P M.

\_\_\_\_\_  
James K. Bauer  
Secretary of State

H.B. 2280