

Senate Engrossed

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
Senate  
Forty-seventh Legislature  
Second Regular Session  
2006

CHAPTER 74

**SENATE BILL 1047**

AN ACT

AMENDING SECTIONS 12-102 AND 12-323, ARIZONA REVISED STATUTES; RELATING TO FINGERPRINTING.

(TEXT OF BILL BEGINS ON NEXT PAGE)



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

2 Section 1. Section 12-102, Arizona Revised Statutes, is amended to  
3 read:

4 12-102. Jurisdiction and duties; court appointments; contract  
5 and volunteer service providers; background  
6 investigations; fingerprinting

7 A. The supreme court shall discharge the duties imposed and exercise  
8 the jurisdiction conferred by the constitution and by law.

9 B. As a condition of appointment to any paid position in the judicial  
10 department that is defined as a noncriminal justice agency under federal law,  
11 including nomination for judicial office by the commissions on appellate and  
12 trial court appointments pursuant to article VI, sections 37 and 41,  
13 Constitution of Arizona, the court shall require each applicant to furnish a  
14 full set of fingerprints to enable the court to conduct a criminal background  
15 investigation to determine the suitability of the applicant. The court shall  
16 submit the completed applicant fingerprint card to the department of public  
17 safety. The applicant shall bear the cost of obtaining the applicant's  
18 criminal history RECORD information. The cost shall not exceed the actual  
19 cost of obtaining the applicant's criminal history RECORD information.  
20 Applicant criminal history records checks shall be conducted pursuant to  
21 section 41-1750 and Public Law 92-544. The department of public safety is  
22 authorized to exchange the submitted applicant fingerprint card information  
23 with the federal bureau of investigation for a national criminal history  
24 records check.

25 C. THE COURT MAY REQUIRE EACH PERSON WHO PROVIDES CONTRACT OR  
26 VOLUNTEER SERVICES IN THE JUDICIAL DEPARTMENT THAT IS DEFINED AS A  
27 NONCRIMINAL JUSTICE AGENCY UNDER FEDERAL LAW TO FURNISH A FULL SET OF  
28 FINGERPRINTS TO ENABLE THE COURT TO CONDUCT A CRIMINAL BACKGROUND  
29 INVESTIGATION. THE COURT SHALL SUBMIT THE PERSON'S COMPLETED FINGERPRINT  
30 CARD TO THE DEPARTMENT OF PUBLIC SAFETY. THE PERSON SHALL BEAR THE COST OF  
31 OBTAINING THE PERSON'S CRIMINAL HISTORY RECORD INFORMATION. THE COST SHALL  
32 NOT EXCEED THE ACTUAL COST OF OBTAINING THE PERSON'S CRIMINAL HISTORY RECORD  
33 INFORMATION. CRIMINAL HISTORY RECORDS CHECKS SHALL BE CONDUCTED PURSUANT TO  
34 SECTION 41-1750 AND PUBLIC LAW 92-544. THE DEPARTMENT OF PUBLIC SAFETY IS  
35 AUTHORIZED TO EXCHANGE THE PERSON'S SUBMITTED FINGERPRINT CARD INFORMATION  
36 WITH THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY  
37 RECORDS CHECK.

38 Sec. 2. Section 12-323, Arizona Revised Statutes, is amended to read:

39 12-323. Certificate of admission to the practice of law;  
40 certified copies of papers; background investigation

41 A. The clerk of the supreme court shall receive the following fees:

42 1. FOR each certificate of admission to the ~~bar~~ PRACTICE OF LAW, a fee  
43 pursuant to section 12-119.01.

44 2. FOR each certified copy of any record, any opinion of court or any  
45 paper or proceedings, for each folio, a fee pursuant to section 12-119.01.

1           B. ~~As a condition of admission to the bar,~~ The supreme court shall  
2 require each applicant PERSON WHO APPLIES FOR CERTIFICATION OR LICENSURE TO  
3 PRACTICE LAW to furnish a full set of fingerprints to enable a criminal  
4 background investigation to be conducted to determine the suitability of the  
5 applicant. The completed applicant fingerprint card shall be submitted with  
6 the fee prescribed in section 41-1750 to the department of public safety.  
7 The applicant shall bear the cost of obtaining the applicant's criminal  
8 history RECORD information. The cost shall not exceed the actual cost of  
9 obtaining the applicant's criminal history RECORD information. Applicant  
10 criminal history records checks shall be conducted pursuant to section  
11 41-1750 and Public Law 92-544. The department of public safety is authorized  
12 to exchange the submitted applicant fingerprint card information with the  
13 federal bureau of investigation for a national criminal history records  
14 check.

**APPROVED BY THE GOVERNOR APRIL 10, 2006.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 10, 2006.**