

JOHNSON FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1214
(Reference to printed bill)

1 Page 3, line 23, strike "3." insert "J. A PERSON MAY POSSESS A"; strike "BY A";
2 insert "ON THE GROUNDS OF A COMMUNITY COLLEGE UNDER THE JURISDICTION OF A
3 COMMUNITY COLLEGE DISTRICT OR A UNIVERSITY UNDER THE JURISDICTION OF THE
4 ARIZONA BOARD OF REGENTS IF THE"; strike "WHO"

5 Reletter to conform

6 Line 24, after the period insert "A PERSON WHO POSSESSES A VALID PERMIT
7 CONTAINING A SCHOOL SAFETY ENDORSEMENT PURSUANT TO SECTION 13-3112 MAY
8 POSSESS A CONCEALED WEAPON IN A BUILDING LOCATED ON THE GROUNDS OF A
9 COMMUNITY COLLEGE UNDER THE JURISDICTION OF A COMMUNITY COLLEGE DISTRICT OR A
10 UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS."

11 Page 4, line 6, after the second "school" insert a period strike remainder of line

12 Strike lines 7 and 8

13 After line 9, insert:

14 "Sec. 2. Section 13-3112, Arizona Revised Statutes, is amended to
15 read:

16 13-3112. Concealed weapons; qualification; application; permit
17 to carry; certificate of firearms proficiency;
18 training program; program instructors; report;
19 applicability; violation; classification

20 A. The department of public safety shall issue a permit to carry a
21 concealed weapon to a person who is qualified under this section. The person
22 shall carry the permit at all times when the person is in actual possession
23 of the concealed weapon and shall present the permit for inspection to any
24 law enforcement officer on request.

1 B. A person who fails to carry the permit at all times that the person
2 is in actual possession of a concealed weapon may have the permit suspended.
3 The department of public safety shall be notified of all violations of this
4 section and shall immediately suspend the permit. The permittee shall
5 present the permit to the law enforcement agency or the court. On
6 notification of the presentation of the permit, the department shall restore
7 the permit.

8 C. The permit of a person who is arrested or indicted for an offense
9 that would make the person unqualified under section 13-3101, subsection A,
10 paragraph 6 or this section shall be immediately suspended and seized. The
11 permit of a person who becomes unqualified on conviction of that offense
12 shall be revoked. The permit shall be restored on presentation of
13 documentation from the court if the permittee is found not guilty or the
14 charges are dismissed. The permit shall be restored on presentation of
15 documentation from the county attorney that the charges against the permittee
16 were dropped or dismissed.

17 D. A permittee who carries a concealed weapon and who fails to present
18 a permit for inspection on the request of a law enforcement officer is guilty
19 of a petty offense. A permittee shall not be convicted of a violation of
20 this subsection if the permittee produces to the court a legible permit that
21 is issued to the permittee and that was valid at the time the violation of
22 this subsection occurred.

23 E. The department of public safety shall issue a permit to an
24 applicant who meets all of the following conditions:

- 25 1. Is a resident of this state or a United States citizen.
- 26 2. Is twenty-one years of age or older.
- 27 3. Is not under indictment for and has not been convicted in any
28 jurisdiction of a felony.
- 29 4. Does not suffer from mental illness and has not been adjudicated
30 mentally incompetent or committed to a mental institution.
- 31 5. Is not unlawfully present in the United States.

1 6. Satisfactorily completes a firearms safety training program
2 approved by the department of public safety pursuant to subsection 0 of this
3 section. This paragraph does not apply to:

4 (a) A person who is an active duty Arizona peace officer standards and
5 training board certified or federally credentialed peace officer or who is
6 honorably retired as a federal, state or local peace officer with a minimum
7 of ten years of service.

8 (b) A person who is an active duty county detention officer and who
9 has been weapons certified by the officer's employing agency.

10 (c) A person who is issued a certificate of firearms proficiency
11 pursuant to subsection X of this section.

12 F. The application shall be completed on a form prescribed by the
13 department of public safety. The form shall not require the applicant to
14 disclose the type of firearm for which a permit is sought. The applicant
15 shall attest under penalty of perjury that all of the statements made by the
16 applicant are true. The applicant shall submit the application to the
17 department with a certificate of completion from an approved firearms safety
18 training program, two sets of fingerprints and a reasonable fee determined by
19 the director of the department.

20 G. On receipt of a concealed weapon permit application, the department
21 of public safety shall conduct a check of the applicant's criminal history
22 record pursuant to section 41-1750. The department of public safety may
23 exchange fingerprint card information with the federal bureau of
24 investigation for federal criminal history record checks.

25 H. The department of public safety shall complete all of the required
26 qualification checks within sixty days after receipt of the application and
27 shall issue a permit within fifteen working days after completing the
28 qualification checks if the applicant meets all of the conditions specified
29 in subsection E of this section. If a permit is denied, the department of
30 public safety shall notify the applicant in writing within fifteen working
31 days after the completion of all of the required qualification checks and
32 shall state the reasons why the application was denied. On receipt of the

1 notification of the denial, the applicant has twenty days to submit any
2 additional documentation to the department. On receipt of the additional
3 documentation, the department shall reconsider its decision and inform the
4 applicant within twenty days of the result of the reconsideration. If
5 denied, the applicant shall be informed that the applicant may request a
6 hearing pursuant to title 41, chapter 6, article 10.

7 I. On issuance, a permit is valid for five years, except a permit that
8 is held by a member of the United States armed forces, including a member of
9 the Arizona national guard or a member of the reserves of any military
10 establishment of the United States, who is on federal active duty and who is
11 deployed overseas shall be extended until ninety days after the end of the
12 member's overseas deployment.

13 J. The department of public safety shall maintain a computerized
14 permit record system that is accessible to criminal justice agencies for the
15 purpose of confirming the permit status of any person who claims to hold a
16 valid permit issued by this state. This information and any other records
17 that are maintained regarding applicants, permit holders or instructors shall
18 not be available to any other person or entity except on an order from a
19 state or federal court.

20 K. Notwithstanding subsection J of this section, it is a defense to
21 any charge for carrying a deadly weapon without a permit by a member of the
22 United States armed forces, including a member of the Arizona national guard
23 or a member of the reserves of any military establishment of the United
24 States, if the member was on federal active duty at the time the permit
25 expired and the member presents documentation indicating release from active
26 duty or reassignment from overseas deployment within the preceding ninety
27 days.

28 L. A permit issued pursuant to this section is renewable every five
29 years. Before a permit may be renewed, a criminal history records check
30 shall be conducted pursuant to section 41-1750 within sixty days after
31 receipt of the application for renewal. For the purposes of permit renewal

1 OR FOR REQUESTING AN ENDORSEMENT PURSUANT TO SUBSECTION Y OF THIS SECTION,
2 the permit holder is not required to submit additional fingerprints.

3 M. Applications for renewal shall be accompanied by a fee determined
4 by the director of the department of public safety.

5 N. The department of public safety shall suspend or revoke a permit
6 issued under this section if the permit holder becomes ineligible pursuant to
7 subsection E of this section. The department of public safety shall notify
8 the permit holder in writing within fifteen working days after the revocation
9 or suspension and shall state the reasons for the revocation or suspension.

10 O. An organization shall apply to the department of public safety for
11 approval of its firearms safety training program. The department shall
12 approve a program that meets the following requirements:

- 13 1. Is at least eight hours in length.
- 14 2. Is conducted on a pass or fail basis.
- 15 3. Addresses all of the following topics in a format approved by the
16 director of the department:
 - 17 (a) Legal issues relating to the use of deadly force.
 - 18 (b) Weapon care and maintenance.
 - 19 (c) Mental conditioning for the use of deadly force.
 - 20 (d) Safe handling and storage of weapons.
 - 21 (e) Marksmanship.
 - 22 (f) Judgmental shooting.
- 23 4. Is conducted by instructors who submit to a background
24 investigation, including a check for warrants and a criminal history records
25 check.

26 P. If approved pursuant to subsection O of this section, the
27 organization shall submit to the department of public safety two sets of
28 fingerprints from each instructor and a fee to be determined by the director
29 of the department of public safety. On receipt of the fingerprints and fee,
30 the department of public safety shall conduct a check of each instructor's
31 criminal history record pursuant to section 41-1750. The department of

1 public safety may exchange this fingerprint card information with the federal
2 bureau of investigation for federal criminal history record checks.

3 Q. The proprietary interest of all approved instructors and programs
4 shall be safeguarded, and the contents of any training program shall not be
5 disclosed to any person or entity other than a bona fide criminal justice
6 agency, except ~~upon~~ ON an order from a state or federal court.

7 R. If the department of public safety rejects a program, the rejected
8 organization may request a hearing pursuant to title 41, chapter 6,
9 article 10.

10 S. The department of public safety shall maintain information
11 comparing the number of permits requested, the number of permits issued and
12 the number of permits denied. The department shall annually report this
13 information to the governor and the legislature.

14 T. The director of the department of public safety shall adopt rules
15 for the purpose of implementing and administering the concealed weapons
16 permit program including fees relating to permits and certificates that are
17 issued pursuant to this section.

18 U. This state and any political subdivision of this state shall
19 recognize a concealed weapon, firearm or handgun permit or license that is
20 issued by another state or a political subdivision of another state if both:

- 21 1. The permit or license is recognized as valid in the issuing state.
22 2. The permit or license holder is all of the following:
23 (a) Not a resident of this state.
24 (b) Legally present in this state.
25 (c) Not legally prohibited from possessing a firearm in this state.

26 V. For the purpose of establishing mutual permit or license
27 recognition with other states, the department of public safety shall enter
28 into a written agreement if another state requires a written agreement.

29 W. Notwithstanding the provisions of this section, a person with a
30 concealed weapons permit from another state may not carry a concealed weapon
31 in this state if the person is under twenty-one years of age or is under
32 indictment for, or has been convicted of, a felony offense in any

1 jurisdiction, even if the person's rights have been restored and the
2 conviction is expunged, set aside or vacated.

3 X. The department of public safety may issue certificates of firearms
4 proficiency according to the Arizona peace officer standards and training
5 board firearms qualification for the purposes of implementing the law
6 enforcement officers safety act of 2004 (P.L. 108-277; 118 Stat. 865;
7 18 United States Code sections 926B and 926C). A law enforcement agency
8 shall issue to a law enforcement officer who has honorably retired a
9 photographic identification that states that the officer has honorably
10 retired from the agency. The chief law enforcement officer shall determine
11 whether an officer has honorably retired and the determination is not subject
12 to review. A law enforcement agency has no obligation to revoke, alter or
13 modify the honorable discharge photographic identification based on conduct
14 that the agency becomes aware of or that occurs after the officer has
15 separated from the agency.

16 Y. THE DEPARTMENT OF PUBLIC SAFETY SHALL ISSUE A PERMIT CONTAINING A
17 SCHOOL SAFETY ENDORSEMENT TO AN APPLICANT OR PERMITTEE WHO SATISFACTORILY
18 COMPLETES A STANDARD FIREARM QUALIFICATION COURSE. A SCHOOL SAFETY
19 ENDORSEMENT SHALL BE CLEARLY MARKED ON THE FACE OF THE PERMIT AND SHALL
20 EXPIRE WITH THE PERMIT. AN ORGANIZATION THAT IS APPROVED PURSUANT TO
21 SUBSECTION 0 OF THIS SECTION SHALL CERTIFY THE RESULTS OF THE APPLICANT'S OR
22 PERMITTEE'S FIREARM QUALIFICATION COURSE. THE STANDARD FIREARM QUALIFICATION
23 COURSE SHALL INCLUDE:

24 1. A FIFTY SHOT DAYTIME QUALIFICATION COURSE THAT MEASURES FIREARMS
25 COMPETENCE AT LEAST AS ACCURATELY AS THE COURSE OF FIRE THAT IS REQUIRED FOR
26 CERTIFICATION RETENTION BY THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING
27 BOARD AND THAT IS IN EFFECT ON JANUARY 1, 2008.

28 2. A FIREARMS TARGET IDENTIFICATION AND JUDGMENT COURSE THAT MEASURES
29 TARGET IDENTIFICATION AND JUDGMENT AT LEAST AS ACCURATELY AS THE COURSES THAT
30 ARE REQUIRED FOR CERTIFICATION RETENTION BY THE ARIZONA PEACE OFFICER
31 STANDARDS AND TRAINING BOARD AND THAT ARE IN EFFECT ON JANUARY 1, 2008.

1 Sec. 3. Title 15, chapter 14, Arizona Revised Statutes, is amended by
2 adding article 6, to read:

3 ARTICLE 6. WEAPONS ON CAMPUS

4 15-1861. Weapons policies

5 A. EACH UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF
6 REGENTS SHALL ADOPT POLICIES FOR THE STORING OF WEAPONS THAT ARE NOT UNDER
7 THE IMMEDIATE ACCESS AND CONTROL OF THE OWNER AND THAT ARE IN ANY BUILDINGS,
8 HOUSING FACILITIES, RESIDENCE HALLS, DORMITORIES OR APARTMENTS THAT ARE
9 LOCATED ON THE CAMPUS OF THE UNIVERSITY.

10 B. EACH COMMUNITY COLLEGE DISTRICT SHALL ADOPT POLICIES FOR THE
11 STORING OF WEAPONS THAT ARE NOT UNDER THE IMMEDIATE ACCESS AND CONTROL OF THE
12 OWNER AND THAT ARE IN ANY BUILDINGS, HOUSING FACILITIES, RESIDENCE HALLS,
13 DORMITORIES OR APARTMENTS THAT ARE LOCATED ON A COMMUNITY COLLEGE CAMPUS.

14 C. A WEAPONS POLICY THAT IS ADOPTED PURSUANT TO THIS SECTION SHALL NOT
15 BE MORE RESTRICTIVE THAN THE LAWS OF THIS STATE."

16 Amend title to conform

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