

JUDICIARY

SENATE AMENDMENTS TO S.B. 1102

(Reference to printed bill)

1 Page 8, lines 30 and 31, strike "A FEDERAL FIREARMS LICENSEE WHO" insert "ANY
2 BUSINESS THAT IS AUTHORIZED TO RECEIVE AND DISPOSE OF THE ARTICLE UNDER
3 FEDERAL, STATE AND LOCAL LAW AND THAT"

4 Line 44, strike "A FEDERAL FIREARMS LICENSEE WHO" insert "ANY BUSINESS THAT IS
5 AUTHORIZED TO RECEIVE AND DISPOSE OF THE ARTICLE UNDER FEDERAL, STATE AND
6 LOCAL LAW AND THAT"

7 Page 9, line 5, after "carry;" insert "civil penalty;"

8 Line 7, strike "~~The person~~"

9 Strike lines 8, 9 and 10, insert "The person shall carry the permit at all times
10 when the person is in actual possession of the concealed weapon ~~and~~. IF THE
11 PERSON IS IN ACTUAL POSSESSION OF THE CONCEALED WEAPON, THE PERSON shall
12 present the permit for inspection to any law enforcement officer on request."

13 Strike lines 33, 34 and 35, insert:

14 "C. THE PERMIT OF A PERMITTEE WHO CARRIES A CONCEALED WEAPON AND WHO
15 FAILS TO PRESENT THE PERMIT FOR INSPECTION ON THE REQUEST OF A LAW
16 ENFORCEMENT OFFICER MAY BE SUSPENDED. IF A PERMITTEE'S PERMIT IS SUSPENDED
17 AND THE PERMITTEE PRODUCES TO THE LAW ENFORCEMENT AGENCY A LEGIBLE PERMIT
18 THAT IS ISSUED TO THE PERMITTEE AND THAT WAS VALID AT THE TIME THE PERMITTEE
19 FAILED TO PRESENT THE PERMIT FOR INSPECTION, THE DEPARTMENT OF PUBLIC SAFETY
20 SHALL RESTORE THE PERMIT IMMEDIATELY.

21 D. A PERMITTEE WHOSE PERMIT IS SUSPENDED PURSUANT TO SUBSECTION C OF
22 THIS SECTION AND WHO, WITHIN SIXTY DAYS AFTER THE SUSPENSION, FAILS TO
23 PRESENT TO THE DEPARTMENT OF PUBLIC SAFETY A LEGIBLE PERMIT FOR INSPECTION
24 COMMITS A VIOLATION OF THIS SECTION AND IS SUBJECT TO A CIVIL PENALTY OF NOT
25 MORE THAN THREE HUNDRED DOLLARS.

26 E. A LAW ENFORCEMENT OFFICER SHALL NOT CONFISCATE OR FORFEIT A WEAPON
27 THAT IS OTHERWISE LAWFULLY POSSESSED BY A PERMITTEE WHOSE PERMIT IS SUSPENDED
28 PURSUANT TO SUBSECTION C OF THIS SECTION, EXCEPT THAT A LAW ENFORCEMENT

1 OFFICER MAY TAKE TEMPORARY CUSTODY OF A FIREARM DURING AN INVESTIGATORY STOP
2 OF THE PERMITTEE."

3 Reletter to conform

4 Page 10, between lines 23 and 24, insert:

5 "6. HAS EVER SATISFACTORILY COMPLETED A FIREARMS SAFETY TRAINING
6 PROGRAM AUTHORIZED BY THE DEPARTMENT OF PUBLIC SAFETY PURSUANT TO SUBSECTION
7 0, PARAGRAPH 1 OF THIS SECTION OR HAS EVER DEMONSTRATED COMPETENCE WITH A
8 FIREARM AS PRESCRIBED BY SUBSECTION 0, PARAGRAPH 2, 3, 4, 5, 6, 7, 8 OR 9 OF
9 THIS SECTION AND PROVIDES ADEQUATE DOCUMENTATION THAT THE PERSON HAS
10 SATISFACTORILY COMPLETED A TRAINING PROGRAM OR DEMONSTRATED COMPETENCE WITH A
11 FIREARM IN ANY STATE OR POLITICAL SUBDIVISION IN THE UNITED STATES. FOR THE
12 PURPOSES OF THIS PARAGRAPH, "ADEQUATE DOCUMENTATION" MEANS:

13 (a) A CERTIFICATE, CARD OR DOCUMENT OF COMPLETION FROM A FIREARMS
14 SAFETY TRAINING PROGRAM AUTHORIZED PURSUANT TO SUBSECTION 0, PARAGRAPH 1 OF
15 THIS SECTION, DATED NOT MORE THAN FIVE YEARS EARLIER THAN THE DATE OF
16 APPLICATION, THAT HAS AFFIXED TO IT THE STAMP, SIGNATURE OR SEAL OF THE
17 INSTRUCTOR OR ORGANIZATION THAT CONDUCTED THE PROGRAM, OR A CURRENT OR
18 EXPIRED PERMIT ISSUED BY THE DEPARTMENT OF PUBLIC SAFETY PURSUANT TO THIS
19 SECTION.

20 (b) AN ORIGINAL OR COPY OF A CERTIFICATE, CARD OR DOCUMENT THAT SHOWS
21 THE APPLICANT HAS COMPLETED ANY COURSE OR CLASS PRESCRIBED BY SUBSECTION 0,
22 PARAGRAPH 2, 3, 4, 5, 8 OR 9 OF THIS SECTION OR AN AFFIDAVIT FROM THE
23 INSTRUCTOR, SCHOOL, CLUB OR ORGANIZATION THAT CONDUCTED OR TAUGHT THE COURSE
24 OR CLASS ATTESTING TO THE APPLICANT'S COMPLETION OF THE COURSE OR CLASS.

25 (c) AN ORIGINAL OR A COPY OF A UNITED STATES DEPARTMENT OF DEFENSE
26 FORM 214 (DD-214) INDICATING AN HONORABLE DISCHARGE OR GENERAL DISCHARGE
27 UNDER HONORABLE CONDITIONS, A CERTIFICATE OF COMPLETION OF BASIC TRAINING, OR
28 ANY OTHER DOCUMENT DEMONSTRATING PROOF OF THE APPLICANT'S CURRENT OR FORMER
29 SERVICE IN THE UNITED STATES ARMED FORCES AS PRESCRIBED BY SUBSECTION 0,
30 PARAGRAPH 6 OF THIS SECTION.

31 (d) AN ORIGINAL OR A COPY OF A CONCEALED WEAPON, FIREARM OR HANDGUN
32 PERMIT OR A LICENSE AS PRESCRIBED BY SUBSECTION 0, PARAGRAPH 7."

1 Page 10, line 28, after "true" insert ", THAT THE APPLICANT HAS BEEN FURNISHED A
2 COPY OF CHAPTERS 4 AND 31 OF THIS TITLE AND THAT THE APPLICANT IS
3 KNOWLEDGEABLE ABOUT THE PROVISIONS CONTAINED IN THOSE CHAPTERS"

4 Line 30, after "~~program,~~" insert "ANY DOCUMENTATION PRESCRIBED BY SUBSECTION F
5 OF THIS SECTION,"

6 Line 41, strike "D" insert "F"

7 Page 11, line 5, after the period insert "FOR THE PURPOSES OF THIS SUBSECTION,
8 "RECEIPT OF THE APPLICATION" MEANS THE FIRST DAY THAT THE DEPARTMENT HAS
9 PHYSICAL CONTROL OF THE APPLICATION AND THAT IS PRESUMED TO BE ON THE DATE OF
10 DELIVERY AS EVIDENCED BY PROOF OF DELIVERY BY THE UNITED STATES POSTAL
11 SERVICE OR A WRITTEN RECEIPT, WHICH SHALL BE PROVIDED BY THE DEPARTMENT ON
12 REQUEST OF THE APPLICANT."

13 Line 14, after "who" insert "IS CONTACTED BY A LAW ENFORCEMENT OFFICER AND WHO"

14 Line 16, strike "~~,— OR~~" insert a comma; strike "~~or instructors~~" insert "or
15 instructors"

16 Line 18, after the period insert "A CRIMINAL JUSTICE AGENCY OR OTHER ENTITY
17 SHALL NOT USE THE COMPUTERIZED PERMIT RECORD SYSTEM TO CONDUCT RANDOM
18 INQUIRIES ON WHETHER A PERSON IS A CONCEALED WEAPONS PERMIT HOLDER UNLESS THE
19 CRIMINAL JUSTICE AGENCY OR OTHER ENTITY HAS REASONABLE SUSPICION TO BELIEVE
20 THE PERSON IS CARRYING A CONCEALED WEAPON AND THE PERSON IS SUBJECT TO A
21 LAWFUL CRIMINAL INVESTIGATION, ARREST, DETENTION OR AN INVESTIGATORY STOP."

22 Line 36, strike "D" insert "F"

23 Page 12, between lines 13 and 14, insert:

24 "0. AN APPLICANT SHALL DEMONSTRATE COMPETENCE WITH A FIREARM THROUGH
25 ANY OF THE FOLLOWING:

26 1. COMPLETION OF ANY FIREARMS TRAINING PROGRAM THAT IS APPROVED BY THE
27 DEPARTMENT OF PUBLIC SAFETY AND THAT IS CONDUCTED BY INSTRUCTORS WHO ARE
28 AUTHORIZED BY THE DEPARTMENT OF PUBLIC SAFETY OR WHO POSSESS CURRENT NATIONAL
29 RIFLE ASSOCIATION INSTRUCTOR CERTIFICATIONS IN PISTOL AND PERSONAL PROTECTION
30 AND WHO SUBMIT TO A BACKGROUND INVESTIGATION, INCLUDING A CHECK FOR WARRANTS
31 AND A CRIMINAL HISTORY RECORDS CHECK.

1 2. COMPLETION OF ANY FIREARMS SAFETY OR TRAINING COURSE OR CLASS THAT
2 IS AVAILABLE TO THE GENERAL PUBLIC, THAT IS OFFERED BY A LAW ENFORCEMENT
3 AGENCY, A JUNIOR COLLEGE, A COLLEGE OR A PRIVATE OR PUBLIC INSTITUTION,
4 ACADEMY, ORGANIZATION OR FIREARMS TRAINING SCHOOL AND THAT IS APPROVED BY THE
5 DEPARTMENT OF PUBLIC SAFETY.

6 3. COMPLETION OF ANY HUNTER EDUCATION OR HUNTER SAFETY COURSE APPROVED
7 BY THE ARIZONA GAME AND FISH DEPARTMENT OR A SIMILAR AGENCY OF ANOTHER STATE.

8 4. COMPLETION OF ANY NATIONAL RIFLE ASSOCIATION FIREARMS SAFETY OR
9 TRAINING COURSE.

10 5. COMPLETION OF ANY LAW ENFORCEMENT FIREARMS SAFETY OR TRAINING
11 COURSE OR CLASS THAT IS OFFERED FOR SECURITY GUARDS, INVESTIGATORS, SPECIAL
12 DEPUTIES OR OTHER DIVISIONS OR SUBDIVISIONS OF LAW ENFORCEMENT OR SECURITY
13 ENFORCEMENT AND THAT IS APPROVED BY THE DEPARTMENT OF PUBLIC SAFETY.

14 6. EVIDENCE OF CURRENT MILITARY SERVICE OR PROOF OF HONORABLE
15 DISCHARGE FROM THE UNITED STATES ARMED FORCES.

16 7. A VALID CURRENT OR EXPIRED CONCEALED WEAPON, FIREARM OR HANDGUN
17 PERMIT OR LICENSE THAT IS ISSUED BY ANOTHER STATE OR A POLITICAL SUBDIVISION
18 OF ANOTHER STATE AND THAT HAS A TRAINING OR TESTING REQUIREMENT FOR INITIAL
19 ISSUANCE.

20 8. COMPLETION OF ANY GOVERNMENTAL POLICE AGENCY FIREARMS TRAINING
21 COURSE AND QUALIFICATION TO CARRY A FIREARM IN THE COURSE OF NORMAL POLICE
22 DUTIES.

23 9. COMPLETION OF ANY OTHER FIREARMS TRAINING THAT THE DEPARTMENT OF
24 PUBLIC SAFETY DEEMS ACCEPTABLE."

25 Reletter to conform

26 Page 12, strike lines 14 through 29, insert:

27 "P. If authorized pursuant to subsection 0, PARAGRAPH 1 of this
28 section, the organization on behalf of each of its instructors shall submit
29 to the department of public safety two sets of fingerprints and a fee to be
30 determined by the director of the department of public safety. On receipt of
31 the fingerprints and fee, the department of public safety shall conduct a
32 check of each instructor's criminal history record pursuant to section

1 41-1750. The department of public safety may exchange this fingerprint card
2 information with the federal bureau of investigation for federal criminal
3 history record checks.

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

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

11 Reletter to conform

12 Page 14, line 1, strike "BELT"

13 Amend title to conform

01/29/2010

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