

COMMITTEE ON APPROPRIATIONS  
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1575  
(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 12-990, Arizona Revised Statutes, is amended to  
3 read:

4 12-990. Definitions

5 In this article, unless the context otherwise requires:

6 1. "Clandestine drug laboratory" means real property on which  
7 methamphetamine, ecstasy or LSD is being manufactured or where a person is  
8 arrested for having on any real property chemicals or equipment used in  
9 manufacturing methamphetamine, ecstasy or LSD. In the case of a space rental  
10 mobile home or recreational vehicle park, clandestine drug laboratory means  
11 the mobile home or recreational vehicle in which methamphetamine, ecstasy or  
12 LSD is being manufactured or where a person is arrested for having in the  
13 mobile home or recreational vehicle chemicals or equipment used in  
14 manufacturing methamphetamine, ecstasy or LSD.

15 2. "Drug laboratory site remediation firm" means a firm that is  
16 ~~licensed~~ CERTIFIED by the ~~registrar of contractors~~ STATE BOARD OF TECHNICAL  
17 REGISTRATION pursuant to TITLE 32, chapter ~~10 of this title~~ 1 and that  
18 performs remediation of residual contamination from the manufacture of  
19 methamphetamine, ecstasy or LSD or the storage of chemicals or equipment used  
20 in manufacturing methamphetamine, ecstasy or LSD.

21 3. "Ecstasy" has the same meaning prescribed in section 13-3401,  
22 paragraph 6 and includes any of the precursor chemicals, regulated chemicals,  
23 other substances or equipment used in the unlawful manufacture of the  
24 dangerous drug.

25 4. "Gross contamination" means the chemicals, equipment and other  
26 items that are found in a clandestine drug laboratory and that are removed by  
27 a law enforcement agency or other agency.

28 5. "LSD" has the same meaning prescribed in section 13-3401,  
29 paragraph 6 and includes any of the precursor chemicals, regulated chemicals,  
30 other substances or equipment used in the unlawful manufacture of the  
31 dangerous drug.

32 6. "Methamphetamine" has the same meaning prescribed in section  
33 13-3401, paragraph 6 and includes any of the precursor chemicals, regulated  
34 chemicals, other substances or equipment used in the unlawful manufacture of  
35 the dangerous drug.

1           7. "Real property" includes the area within a structure and the area  
2 that surrounds a structure and that is within the land boundary or property  
3 lines of any of the following:

4           (a) Property that is used primarily for residential OR COMMERCIAL  
5 purposes.

6           (b) Property that is governed by the Arizona residential landlord and  
7 tenant act as prescribed by title 33, chapter 10.

8           (c) A mobile home as defined in section 33-1409.

9           (d) A recreational vehicle as defined in section 33-2102.

10          8. "Residually contaminated portion of the real property" means the  
11 structure or unit where gross contamination was removed and the area of any  
12 adjacent structure, unit or land where visible evidence of residual  
13 contamination is observed by a peace officer, including any of the following:

14          (a) If gross contamination is removed from a house, mobile home or  
15 recreational vehicle and the notice of removal is posted for the entire  
16 house, mobile home or recreational vehicle, the entire house, mobile home or  
17 recreational vehicle, not just the room or rooms in which the gross  
18 contamination is found.

19          (b) If gross contamination is removed from a detached shed or garage,  
20 the other structures on the land are not affected and the notice of removal  
21 is posted only for the detached shed or garage, the detached shed or garage  
22 unless visible evidence of residual contamination is found in any of the  
23 other structures.

24          (c) If gross contamination is removed from a hotel, motel room or  
25 apartment unit, OR ANY COMMERCIAL UNIT IN A MULTIUNIT STRUCTURE, the adjacent  
26 rooms are not affected and the notice of removal is posted only for the  
27 contaminated room or ~~apartment~~ unit, the contaminated room or ~~apartment~~  
28 unit unless visible evidence of residual contamination is found in an adjacent  
29 room or ~~apartment~~ unit.

30          Sec. 2. Section 12-1000, Arizona Revised Statutes, is amended to read:

31          12-1000. Clandestine drug laboratories; notice; cleanup;  
32                                   residual contamination; civil penalty; immunity;  
33                                   restitution; violation; classification

34          A. If a peace officer discovers a clandestine drug laboratory or  
35 arrests a person for having on any real property chemicals or equipment used  
36 in manufacturing methamphetamine, ecstasy or LSD or a derivative of  
37 methamphetamine, ecstasy or LSD, the peace officer:

38           1. At the time of the discovery or arrest, shall deliver a copy of the  
39 notice of removal pursuant to subsection B of this section to the owner of  
40 the real property if the owner is on the site at the time of delivery, the

1 on-site manager if the manager is on the site at the time of delivery or the  
2 on-site drop box if available. In the case of a tenant-owned unit in a space  
3 rental mobile home or recreational vehicle park, the officer shall deliver a  
4 copy of the notice of removal to the occupant of the unit if the occupant is  
5 on site at the time of delivery and to the on-site park landlord if the park  
6 landlord is on site at the time of delivery.

7 2. Within two business days after the discovery or arrest, shall send  
8 the notice of removal by certified mail to the owner of the real property and  
9 the owner's on-site manager or, in the case of a space rental mobile home or  
10 recreational vehicle park, to the owner of the mobile home or recreational  
11 vehicle, if applicable, and to the park landlord. These persons are deemed  
12 to receive the notice of removal five days after the notice is mailed. The  
13 notice shall be sent to the following:

14 (a) The owner's address on file with the county assessor. The county  
15 shall waive any fee or charge for the owner's address information.

16 (b) The county health department.

17 (c) The appropriate local fire department.

18 (d) The state board of technical registration.

19 (e) **THE DEPARTMENT OF TRANSPORTATION IF THE SEIZURE OCCURS IN A MOBILE**  
20 **HOME OR RECREATIONAL VEHICLE.**

21 3. After a law enforcement or other agency removes the gross  
22 contamination on the real property, shall order the removal of all persons  
23 from the residually contaminated portion of the real property or dwelling  
24 unit, if applicable, or, in the case of a space rental mobile home or  
25 recreational vehicle park, from the unit located on the real property.

26 4. After the peace officer removes all persons pursuant to paragraph 3  
27 of this subsection, shall affix the notice of removal in a conspicuous place  
28 on the real property or, in the case of a space rental mobile home or  
29 recreational vehicle park, on the unit located on the real property. The  
30 notice of removal shall state that it is unlawful for any person other than  
31 the owner, landlord or manager to enter the residually contaminated portion  
32 of the property until the owner remediates the residually contaminated  
33 portion of the property. **THE OWNER SHALL NOT KNOWINGLY ALLOW THE POSTED**  
34 **NOTICE OF REMOVAL TO BE DISTURBED.**

35 B. The notice of removal shall be in writing and shall contain all of  
36 the following:

37 1. The word "warning" in large bold type at the top and bottom of the  
38 notice.

39 2. A statement that a clandestine drug laboratory was seized or a  
40 person was arrested on the real property for having chemicals or equipment

1 used in the manufacturing of methamphetamine, ecstasy or LSD on the real  
2 property.

3 3. The date of the seizure or arrest.

4 4. The address or location of the real property, including the  
5 identification of any dwelling unit, room number, apartment number,  
6 **COMMERCIAL UNIT** or vehicle number.

7 5. The name of the law enforcement agency or other agency that seized  
8 the clandestine drug laboratory or made the arrest and the agency's contact  
9 telephone number.

10 6. A statement that hazardous substances, toxic chemicals or other  
11 waste products may still be present on the real property or, in the case of a  
12 space rental mobile home or recreational vehicle park, in the unit located on  
13 the real property.

14 7. A statement that it is unlawful for any unauthorized person to  
15 enter the residually contaminated portion of the real property or, in the  
16 case of a space rental mobile home or recreational vehicle park, the unit  
17 located on the real property, until the owner, landlord or manager  
18 establishes that the portion of the real property noticed as residually  
19 contaminated has been remediated by a drug laboratory site remediation firm.

20 ~~8. A statement that it is a class 6 felony to violate this section.~~

21 8. A STATEMENT THAT THE OWNER OF REAL PROPERTY WHO KNOWINGLY ALLOWS  
22 THE NOTICE OF REMOVAL POSTED ON THE REAL PROPERTY TO BE DISTURBED IS SUBJECT  
23 TO:

24 (a) A CIVIL PENALTY THE FIRST TIME THE NOTICE OF REMOVAL POSTED ON THE  
25 REAL PROPERTY IS DISTURBED.

26 (b) A CLASS 5 FELONY A SECOND OR SUBSEQUENT TIME THE NOTICE OF REMOVAL  
27 POSTED ON THE REAL PROPERTY IS DISTURBED.

28 9. A statement that it is a class ~~2-misdemeanor~~ 5 FELONY FOR A PERSON  
29 OTHER THAN THE OWNER to disturb the notice of removal posted on the real  
30 property.

31 10. A statement that the owner of the real property shall remediate the  
32 residually contaminated portion of the property in compliance with subsection  
33 C of this section.

34 11. A statement that if an owner fails to provide any notice required  
35 by this section, the owner is subject to a civil penalty OR CRIMINAL  
36 PROSECUTION, OR BOTH, and a buyer, tenant or customer may void a purchase  
37 contract, rental agreement or other agreement.

38 C. The owner of the real property shall remediate the residually  
39 contaminated portion of the real property within twelve months after the date  
40 of notice of removal by retaining a registered drug laboratory site

1 remediation firm pursuant to title 32, chapter 1. If the owner of the real  
2 property fails to remediate the property under this subsection, a county or  
3 city in this state may remediate the property using a registered remediation  
4 firm contracted by any county or city in this state with the cost of  
5 remediation passed on to the property owner in the form of a lien on the  
6 property title.

7 D. IF A COUNTY, CITY OR TOWN REMEDIATES REAL PROPERTY PURSUANT TO  
8 SUBSECTION C OF THIS SECTION, THE COUNTY, CITY OR TOWN MAY APPLY TO THE  
9 TECHNICAL REGISTRATION FUND ESTABLISHED BY SECTION 32-109 FOR REMEDIATION  
10 MONIES. AFTER THE REAL PROPERTY IS REMEDIATED, THE BOARD OF TECHNICAL  
11 REGISTRATION SHALL PLACE A LIEN ON THE PROPERTY WITH THE INTENT TO REPLENISH  
12 THE MONIES ON THE SALE OF THE PROPERTY.

13 ~~D.~~ E. A drug laboratory site remediation firm that remediates the  
14 residually contaminated portion of any real property pursuant to this section  
15 shall comply with the requirements established and the best practices and  
16 standards for remediation of residual contamination adopted by the state  
17 board of technical registration pursuant to title 32, chapter 1. When  
18 remediation is complete, the drug laboratory site remediation firm shall  
19 remove the posted notice and shall issue a document stating that the  
20 residually contaminated portion of the real property has been remediated.  
21 Within twenty-four hours after the remediation is complete, the drug  
22 laboratory site remediation firm shall deliver the document or send the  
23 document by certified mail to each person and entity listed in subsection A,  
24 paragraph 2 of this section and the law enforcement agency that issued the  
25 notice under that subsection. After the document has been issued, both of  
26 the following apply:

27 1. The owner, landlord or manager of the real property is not required  
28 to comply with subsection ~~F~~ H of this section.

29 2. Any person may use, enter, occupy, rent or sell the real property.

30 ~~E.~~ F. The ~~county health department~~ STATE BOARD OF TECHNICAL  
31 REGISTRATION shall maintain and make available on request any PUBLIC  
32 documents that are received pursuant to subsection ~~D~~ E of this section.

33 G. IF THE STATE BOARD OF TECHNICAL REGISTRATION CONDUCTS AN  
34 INVESTIGATION AND DETERMINES THAT THE POSTED NOTICE OF REMOVAL IS MISSING,  
35 THE STATE BOARD OF TECHNICAL REGISTRATION MAY REPOST THE SITE. IF THE STATE  
36 BOARD OF TECHNICAL REGISTRATION DETERMINES THAT THIS IS THE FIRST OCCURRENCE  
37 IN WHICH THE REAL PROPERTY OWNER HAS KNOWINGLY ALLOWED THE POSTED NOTICE OF  
38 REMOVAL TO BE DISTURBED, THE STATE BOARD OF TECHNICAL REGISTRATION MAY IMPOSE  
39 A CIVIL PENALTY OF NOT MORE THAN TWO THOUSAND DOLLARS PER VIOLATION. IF THE  
40 STATE BOARD OF TECHNICAL REGISTRATION CONDUCTS SUBSEQUENT INVESTIGATIONS AND

1 DETERMINES THAT THE POSTED NOTICE OF REMOVAL IS MISSING, THE REAL PROPERTY  
2 OWNER MAY BE SUBJECT TO CRIMINAL PROSECUTION PURSUANT TO SUBSECTION L OF THIS  
3 SECTION.

4 ~~F.~~ H. The following notice requirements apply until the remediation  
5 is complete as provided in subsection ~~D~~ E of this section:

6 1. Within five days after a buyer signs a contract to purchase the  
7 real property, the owner shall notify the buyer in writing that  
8 methamphetamine, ecstasy or LSD was manufactured on the real property or that  
9 an arrest was made pursuant TO this section. The buyer shall acknowledge  
10 receipt of the notice. A buyer may cancel the real estate purchase contract  
11 within five days after receiving the notice. If the owner does not comply  
12 with this paragraph, the buyer may cancel the purchase contract AND THE OWNER  
13 MAY BE SUBJECT TO CRIMINAL PROSECUTION FOR FAILURE TO DISCLOSE.

14 ~~2. The landlord shall notify a prospective tenant for a dwelling unit~~  
15 ~~that was the subject of the notice in writing that methamphetamine, ecstasy~~  
16 ~~or LSD was manufactured on the real property or that an arrest was made~~  
17 ~~pursuant to this section. The tenant shall acknowledge receipt of the notice~~  
18 ~~before taking possession of the real property or before signing a rental~~  
19 ~~agreement for the real property. The notice shall be attached to the rental~~  
20 ~~agreement. If the landlord does not comply with this paragraph, the tenant~~  
21 ~~may void the rental agreement.~~

22 ~~3. Before a customer occupies a room that was the subject of the~~  
23 ~~notice, the owner or manager shall notify the customer in writing that~~  
24 ~~methamphetamine, ecstasy or LSD was manufactured in the room or that an~~  
25 ~~arrest was made pursuant to this section. If the owner or manager does not~~  
26 ~~comply with this paragraph, the customer may void the agreement.~~

27 4. 2. The owner shall notify a buyer ~~or prospective tenant~~ IN WRITING  
28 WITHIN FIVE DAYS AFTER SIGNING A PURCHASE CONTRACT. THE ~~in writing~~  
29 NOTIFICATION SHALL STATE that methamphetamine, ecstasy or LSD was  
30 manufactured in the mobile home or recreational vehicle or that an arrest was  
31 made pursuant to this section. The buyer shall acknowledge receipt of the  
32 notice before taking possession of the mobile home or recreational vehicle.  
33 A buyer may cancel the purchase contract within five days after receiving the  
34 notice. ~~The tenant shall acknowledge receipt of the notice before taking~~  
35 ~~possession of the mobile home or recreational vehicle or before signing a~~  
36 ~~rental agreement for the mobile home or recreational vehicle. The notice~~  
37 ~~shall be attached to the rental agreement. If the owner does not comply with~~  
38 ~~this paragraph, the tenant may void the rental agreement. IF THE OWNER DOES~~  
39 NOT COMPLY WITH THIS PARAGRAPH, THE BUYER MAY CANCEL THE PURCHASE CONTRACT  
40 AND THE OWNER MAY BE SUBJECT TO CRIMINAL PROSECUTION FOR FAILURE TO DISCLOSE.

1           ~~5.~~ 3. If a mobile home or recreational vehicle in a space rental park  
2 contains a clandestine drug laboratory, the landlord, on receipt of a notice  
3 pursuant to this section, shall notify the lienholder of record and the owner  
4 of record of the unit to remove it from the park within thirty days **PURSUANT**  
5 **TO RULES ADOPTED BY THE STATE BOARD OF TECHNICAL REGISTRATION**. If the unit  
6 is not removed within thirty days, the landlord may remove or demolish the  
7 unit **PURSUANT TO RULES ADOPTED BY THE STATE BOARD OF TECHNICAL REGISTRATION**  
8 and dispose of it ~~as junk~~ **IN AN AUTHORIZED MANNER** and shall notify the  
9 department of transportation **AND THE STATE BOARD OF TECHNICAL REGISTRATION** of  
10 the demolition. A landlord that complies with this subsection is not liable  
11 for such action.

12           ~~G. If an owner fails to provide any notice required by this section,~~  
13 ~~the owner is subject to a civil penalty of one thousand dollars and is liable~~  
14 ~~for any harm resulting from the owner's failure to comply with the~~  
15 ~~requirements of this section.~~

16           ~~H.~~ I. A state or local government and a state or local government's  
17 employees or authorized representatives are not responsible parties as  
18 prescribed by section 49-283 and are not liable for costs or damages incurred  
19 as a result of action taken in compliance with this section. This subsection  
20 does not preclude liability for costs or damages that result from gross  
21 negligence or intentional misconduct by a state or local government. For the  
22 purposes of this subsection, "gross negligence" means reckless, wilful or  
23 wanton misconduct.

24           ~~I.~~ J. A person who operates a clandestine drug laboratory and who is  
25 not the owner of the real property shall pay restitution to the owner of the  
26 real property for all costs that the owner incurred to remediate the  
27 property.

28           ~~J. A person who knowingly violates an order or notice of removal that~~  
29 ~~is issued by a peace officer under this section is guilty of a class 6~~  
30 ~~felony. A person who knowingly disturbs a notice of removal posted on the~~  
31 ~~real property is guilty of a class 2 misdemeanor.~~

32           **K. A REAL PROPERTY OWNER IS GUILTY OF A CLASS 4 FELONY IF THE OWNER**  
33 **KNOWINGLY ALLOWS A CHILD OR VULNERABLE ADULT, AS DEFINED IN SECTION 13-3623,**  
34 **TO ENTER OR OCCUPY THE REAL PROPERTY.**

35           **L. IT IS A CLASS 5 FELONY FOR A PERSON TO DO ANY OF THE FOLLOWING:**

36           **1. KNOWINGLY ENTER OR OCCUPY REAL PROPERTY THAT IS NOT REMEDIATED**  
37 **EXCEPT TO PERFORM NECESSARY MANAGERIAL DUTIES OR LAWFULLY CONDUCT**  
38 **REMIEDIATION.**

1           2. REMOVE ANY ITEMS FROM THE RESIDUALLY CONTAMINATED PORTION OF THE  
2 REAL PROPERTY, MOBILE HOME, RECREATIONAL VEHICLE OR DWELLING UNIT BEFORE  
3 REMEDIATION.

4           3. IF THE PERSON IS NOT THE REAL PROPERTY OWNER, DISTURB OR REMOVE THE  
5 NOTICE OF REMOVAL POSTED ON THE REAL PROPERTY.

6           4. IF THE PERSON IS THE REAL PROPERTY OWNER:

7           (a) KNOWINGLY ALLOW A POSTED NOTICE OF REMOVAL TO BE DISTURBED ON THE  
8 REAL PROPERTY AFTER A CIVIL PENALTY WAS IMPOSED AGAINST THE PERSON PURSUANT  
9 TO SUBSECTION G OF THIS SECTION.

10          (b) FAIL TO NOTIFY A BUYER AS PRESCRIBED IN SUBSECTION H OF THIS  
11 SECTION.

12          (c) KNOWINGLY CONTRACT WITH A PERSON WHO IS NOT A DRUG LABORATORY SITE  
13 REMEDIATION FIRM TO ATTEMPT A CLEANUP OF THE RESIDUALLY CONTAMINATED PORTION  
14 OF THE REAL PROPERTY OR DWELLING UNIT.

15          5. LEASE OR RENT REAL PROPERTY BEFORE REMEDIATION IS COMPLETE.

16          6. REMOVE A MOBILE HOME AS DEFINED IN SECTION 33-1409 OR A  
17 RECREATIONAL VEHICLE AS DEFINED IN SECTION 33-2102 FROM THE REAL PROPERTY  
18 BEFORE AUTHORIZATION FROM THE STATE BOARD OF TECHNICAL REGISTRATION.

19          M. SUBSECTION L OF THIS SECTION DOES NOT APPLY TO PEACE OFFICERS OR  
20 EMPLOYEES OF THE STATE BOARD OF TECHNICAL REGISTRATION WHO ARE LAWFULLY  
21 PERFORMING THEIR DUTIES.

22          Sec. 3. Title 13, chapter 34, Arizona Revised Statutes, is amended by  
23 adding section 13-3423, to read:

24           13-3423. Penalty assessment

25           IN ADDITION TO ANY OTHER PENALTY PRESCRIBED BY LAW, THE COURT SHALL  
26 ORDER A PERSON WHO IS CONVICTED OF A VIOLATION OF THIS CHAPTER INVOLVING  
27 METHAMPHETAMINE, ECSTASY OR LSD TO PAY AN ADDITIONAL ASSESSMENT OF ONE  
28 HUNDRED DOLLARS. THIS ASSESSMENT IS NOT SUBJECT TO ANY SURCHARGE. THE COURT  
29 SHALL TRANSMIT THE MONIES RECEIVED PURSUANT TO THIS SUBSECTION TO THE COUNTY  
30 TREASURER. THE COUNTY TREASURER SHALL TRANSMIT THE MONIES RECEIVED TO THE  
31 STATE TREASURER. THE STATE TREASURER SHALL DEPOSIT THE MONIES RECEIVED IN  
32 THE TECHNICAL REGISTRATION FUND ESTABLISHED BY SECTION 32-109.

33          Sec. 4. Section 32-109, Arizona Revised Statutes, is amended to read:

34           32-109. Technical registration fund

35           A. Pursuant to sections 35-146 and 35-147, the executive director  
36 shall deposit ten per cent of all fees or other revenues received by the  
37 board in the state general fund to assist in defraying the cost of  
38 maintaining the state government and shall deposit the remaining ninety per  
39 cent in a separate fund, known as the technical registration fund, to be used

1 only in defraying expenses of the board and in prosecuting violations of this  
2 chapter.

3 B. Monies deposited in the technical registration fund PURSUANT TO  
4 SUBSECTION A OF THIS SECTION shall be subject to the provisions of section  
5 35-143.01.

6 C. IN ADDITION TO THE MONIES DEPOSITED IN THE TECHNICAL REGISTRATION  
7 FUND PURSUANT TO SUBSECTION A OF THIS SECTION, THE TECHNICAL REGISTRATION  
8 FUND CONSISTS OF MONIES RECEIVED PURSUANT TO SECTION 13-3423. THE MONIES  
9 THAT ARE RECEIVED IN THE FUND PURSUANT TO THIS SUBSECTION SHALL BE USED:

10 1. TO PAY THE BOARD'S EXPENSES ASSOCIATED WITH ITS CRIMINAL  
11 INVESTIGATIONS AND THE IMPLEMENTATION OF SECTION 32-113.

12 2. FOR A COUNTY, CITY OR TOWN FOR REMEDIATION PURSUANT TO SECTION  
13 12-1000, SUBSECTION D. NOTWITHSTANDING SECTION 35-143.01, THE MONIES  
14 RECEIVED PURSUANT TO SECTION 13-3423 ARE NOT SUBJECT TO LEGISLATIVE  
15 APPROPRIATION.

16 Sec. 5. Title 32, chapter 1, article 1, Arizona Revised Statutes, is  
17 amended by adding section 32-113, to read:

18 32-113. Criminal investigations unit; investigators; peace  
19 officer status; powers; information sharing

20 A. A CRIMINAL INVESTIGATIONS UNIT IS ESTABLISHED IN THE BOARD OF  
21 TECHNICAL REGISTRATION.

22 B. THE UNIT SHALL WORK IN CONJUNCTION WITH OTHER LAW ENFORCEMENT  
23 AGENCIES.

24 C. THE EXECUTIVE DIRECTOR MAY INVESTIGATE ANY CRIMINAL ACT PROHIBITED  
25 BY THIS CHAPTER OR ANY OTHER CRIMINAL ACT IN VIOLATION OF TITLE 12 OR 13 THAT  
26 IS REASONABLY RELATED TO THE PRACTICE OF THE PROFESSIONS OR OCCUPATIONS  
27 REGULATED BY THE BOARD. THE EXECUTIVE DIRECTOR OR THE EXECUTIVE DIRECTOR'S  
28 DESIGNEE SHALL ADMINISTER THE CRIMINAL INVESTIGATIONS UNIT.

29 D. THE CRIMINAL INVESTIGATIONS UNIT IS A LAW ENFORCEMENT AGENCY AND  
30 MAY RECEIVE AND EXCHANGE CRIMINAL JUSTICE INFORMATION WITH OTHER CRIMINAL  
31 JUSTICE AGENCIES.

32 E. THE EXECUTIVE DIRECTOR MAY EMPLOY INVESTIGATORS FOR THE CRIMINAL  
33 INVESTIGATIONS UNIT. A UNIT INVESTIGATOR HAS AND SHALL EXERCISE THE LAW  
34 ENFORCEMENT POWERS OF A PEACE OFFICER OF THIS STATE. THE DIRECTOR SHALL  
35 ADOPT GUIDELINES FOR THE CONDUCT OF INVESTIGATIONS THAT ARE SUBSTANTIALLY  
36 SIMILAR TO THE INVESTIGATIVE POLICY AND PROCEDURAL GUIDELINES OF THE  
37 DEPARTMENT OF PUBLIC SAFETY FOR PEACE OFFICERS. UNIT INVESTIGATORS SHALL NOT  
38 PREEMPT THE AUTHORITY AND JURISDICTION OF OTHER LAW ENFORCEMENT AGENCIES OF  
39 THIS STATE OR ITS POLITICAL SUBDIVISIONS. UNIT INVESTIGATORS:

1                   1. SHALL BE CERTIFIED BY THE ARIZONA PEACE OFFICER STANDARDS AND  
2                   TRAINING BOARD PURSUANT TO SECTION 41-1822.

3                   2. ARE NOT ELIGIBLE TO PARTICIPATE IN THE PUBLIC SAFETY PERSONNEL  
4                   RETIREMENT SYSTEM ESTABLISHED BY TITLE 38, CHAPTER 5, ARTICLE 4 DUE SOLELY TO  
5                   EMPLOYMENT AS UNIT INVESTIGATORS."

6 Amend title to conform

and, as so amended, it do pass

STEVE COURT  
Vice-Chairman

1575-se-approp  
3/30/11  
H:jmb