

REFERENCE TITLE: alarm businesses; alarm agents

State of Arizona  
Senate  
Fiftieth Legislature  
First Regular Session  
2011

## **SB 1277**

Introduced by  
Senator Reagan

AN ACT

AMENDING SECTIONS 32-101 AND 32-106, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 32-113 AND 32-114; AMENDING SECTION 32-121, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 32-122.05 AND 32-122.06; AMENDING TITLE 32, CHAPTER 1, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 32-153 AND 32-154; RELATING TO THE STATE BOARD OF TECHNICAL REGISTRATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 32-101, Arizona Revised Statutes, is amended to  
3 read:

4 32-101. Purpose; definitions

5 A. The purpose of this chapter is to provide for the safety, health  
6 and welfare of the public through the promulgation and enforcement of  
7 standards of qualification for those individuals registered or certified and  
8 seeking registration or certification pursuant to this chapter.

9 B. In this chapter, unless the context otherwise requires:

10 1. "Advertising" includes business cards, signs or letterhead provided  
11 by a person to the public.

12 2. "ALARM" OR "ALARM SYSTEM":

13 (a) MEANS ANY MECHANICAL OR ELECTRICAL DEVICE THAT IS DESIGNED TO EMIT  
14 AN AUDIBLE ALARM OR TRANSMIT A SIGNAL OR MESSAGE IF ACTIVATED AND THAT IS  
15 USED TO DETECT AN UNAUTHORIZED ENTRY INTO A BUILDING OR OTHER FACILITY OR  
16 ALERT OTHER PERSONS OF THE OCCURRENCE OF A MEDICAL EMERGENCY OR THE  
17 COMMISSION OF AN UNLAWFUL ACT AGAINST A PERSON OR IN A BUILDING OR OTHER  
18 FACILITY.

19 (b) INCLUDES A SILENT, PANIC, HOLDUP, ROBBERY, DURESS, BURGLARY, CHECK  
20 WELFARE OR PROPRIETOR ALARM THAT REQUIRES EMERGENCY PERSONNEL TO RESPOND.

21 (c) DOES NOT INCLUDE A TELEPHONE CALL DIVERTER OR A SYSTEM THAT IS  
22 DESIGNED TO REPORT ENVIRONMENTAL AND OTHER OCCURRENCES AND THAT IS NOT  
23 DESIGNED OR USED TO ALERT OR CAUSE OTHER PERSONS TO ALERT PUBLIC SAFETY  
24 PERSONNEL.

25 3. "ALARM AGENT" MEANS A PERSON, WHETHER AN EMPLOYEE, AN INDEPENDENT  
26 CONTRACTOR OR OTHERWISE, WHO ACTS ON BEHALF OF AN ALARM BUSINESS AND WHO  
27 TESTS, MAINTAINS, SERVICES, REPAIRS, SELLS, RENTS, LEASES OR INSTALLS ALARM  
28 SYSTEMS OTHER THAN AN ALARM SYSTEM LOCATED ON THE PERSON'S OWN PROPERTY OR  
29 THE PROPERTY OF THE PERSON'S EMPLOYER.

30 4. "ALARM BUSINESS":

31 (a) MEANS ANY PERSON WHO, EITHER ALONE OR THROUGH A THIRD PARTY,  
32 ENGAGES IN THE BUSINESS OF EITHER OF THE FOLLOWING:

33 (i) PROVIDING ALARM MONITORING SERVICES.

34 (ii) SELLING, LEASING, RENTING, MAINTAINING, REPAIRING OR INSTALLING A  
35 NONPROPRIETOR ALARM SYSTEM OR SERVICE.

36 (b) DOES NOT INCLUDE ANY OF THE FOLLOWING:

37 (i) A PERSON OR COMPANY THAT PURCHASES, RENTS OR USES AN ALARM THAT IS  
38 AFFIXED TO A MOTOR VEHICLE.

39 (ii) A PERSON WHO OWNS OR CONDUCTS A BUSINESS OF SELLING, LEASING,  
40 RENTING, INSTALLING, MAINTAINING OR MONITORING AN ALARM THAT IS AFFIXED TO A  
41 MOTOR VEHICLE.

42 (iii) A PERSON WHO INSTALLS A NONMONITORED PROPRIETOR ALARM FOR A  
43 BUSINESS THAT THE PERSON OWNS, IS EMPLOYED BY OR MANAGES.

44 (iv) THE INSTALLATION OR MONITORING OF FIRE ALARM SYSTEMS.

1           5. "ALARM SUBSCRIBER" MEANS ANY PERSON WHO:  
2           (a) LEASES, RENTS OR PURCHASES ANY MONITORED ALARM SYSTEM OR SERVICE  
3 FROM AN ALARM BUSINESS.  
4           (b) LEASES OR RENTS AN ALARM SYSTEM.  
5           (c) CONTRACTS WITH AN ALARM BUSINESS FOR ALARM MONITORING,  
6 INSTALLATION, REPAIR OR MAINTENANCE SERVICES.  
7           ~~2-~~ 6. "Architect" means a person who, by reason of knowledge of the  
8 mathematical and physical sciences and the principles of architecture and  
9 architectural engineering acquired by professional education and practical  
10 experience, is qualified to engage in the practice of architecture as  
11 attested by registration as an architect.  
12           ~~3-~~ 7. "Architect-in-training" means a candidate for registration as a  
13 professional architect who is a graduate of a school approved by the board or  
14 who has five years or more of education or experience, or both, in  
15 architectural work which meets standards specified by the board in its rules.  
16 In addition, the candidate shall have passed the architect-in-training  
17 examination.  
18           ~~4-~~ 8. "Architectural practice" means any professional service or  
19 creative work requiring architectural education, training and experience, and  
20 the application of the mathematical and physical sciences and the principles  
21 of architecture and architectural engineering to such professional services  
22 or creative work as consultation, evaluation, design and review of  
23 construction for conformance with contract documents and design, in  
24 connection with any building, planning or site development. A person shall  
25 be deemed to practice or offer to practice architecture who in any manner  
26 represents that the person is an architect, or is able to perform any  
27 architectural service or other services recognized by educational authorities  
28 as architecture.  
29           ~~5-~~ 9. "Assayer" means a person who analyzes metals, ores, minerals,  
30 or alloys in order to ascertain the quantity of gold or silver or any other  
31 substance present in them. A person employed on a full-time basis as an  
32 assayer by an employer engaged in the business of developing, mining or  
33 treating ores or other minerals shall not be deemed to be engaged in assaying  
34 practice for the purposes of this chapter if the person engages in assaying  
35 practice exclusively for and as an employee of such employer and does not  
36 represent that the person is available and is not represented as being  
37 available to perform any assaying services for anyone other than the person's  
38 employer.  
39           ~~6-~~ 10. "Assayer-in-training" means a candidate for registration as a  
40 professional assayer who is a graduate of a school and curriculum approved by  
41 the board or who has four years or more of education or experience, or both,  
42 in assaying work which meets standards specified by the board in its rules.  
43 In addition, the candidate shall have passed the assayer-in-training  
44 examination.

1           ~~7-~~ 11. "Assaying practice" means any professional service or work  
2 requiring assaying education, training and experience and the application of  
3 special knowledge of the mineral sciences to such service or work as  
4 consultation and the evaluation of minerals. A person is deemed to practice  
5 or offer to practice assaying who in any manner represents that the person is  
6 an assayer or is able to perform any assaying service or other services  
7 recognized by educational authorities as assaying.

8           ~~8-~~ 12. "Board" means the state board of technical registration.

9           ~~9-~~ 13. "Certified remediation specialist" means a person who has been  
10 certified by the board to perform, supervise and review environmental  
11 remediations if the use of a certified remediation specialist is specifically  
12 authorized by title 49 and rules adopted pursuant to title 49.

13           14. "CONTROLLING PERSON":

14           (a) MEANS ALL CURRENT OFFICERS, MANAGERS AND DIRECTORS OF AN ALARM  
15 BUSINESS AND ANY PERSON WHO IS A STOCKHOLDER, MEMBER, GENERAL OR LIMITED  
16 PARTNER OR OWNER WHO HOLDS MORE THAN TEN PER CENT OF THE OWNERSHIP,  
17 MANAGEMENT RIGHTS, CONTROL OR CLAIM TO THE PROFITS OF AN ALARM BUSINESS.

18           (b) DOES NOT INCLUDE CURRENT OFFICERS, DIRECTORS OR SHAREHOLDERS OF  
19 STOCK IN ANY CORPORATION THAT IS TRADED ON A NATIONAL STOCK EXCHANGE.

20           ~~10-~~ 15. "Drug laboratory site remediation firm" means a firm that is  
21 licensed by the registrar of contractors pursuant to chapter 10 of this title  
22 and that performs remediation of residual contamination from the manufacture  
23 of methamphetamine, ecstasy or LSD or the storage of chemicals or equipment  
24 used in manufacturing methamphetamine, ecstasy or LSD. For the purposes of  
25 this paragraph:

26           (a) "Ecstasy" has the same meaning prescribed in section 13-3401,  
27 paragraph 6 and includes any of the precursor chemicals, regulated chemicals,  
28 other substances or equipment used in the unlawful manufacture of the  
29 dangerous drug.

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

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

38           ~~11-~~ 16. "Engineer" means a person who, by reason of special knowledge  
39 of the mathematical and physical sciences and the principles and methods of  
40 engineering analysis and design acquired by professional education and  
41 practical experience, is qualified to practice engineering as attested by  
42 registration as a professional engineer.

43           ~~12-~~ 17. "Engineering practice" means any professional service or  
44 creative work requiring engineering education, training and experience and  
45 the application of special knowledge of the mathematical, physical and

1 engineering sciences to such professional services or creative work as  
2 consultation, research investigation, evaluation, planning, surveying as  
3 defined in paragraph ~~22~~ 27, subdivisions (d) and (e), design, location,  
4 development, and review of construction for conformance with contract  
5 documents and design, in connection with any public or private utility,  
6 structure, building, machine, equipment, process, work or project. Such  
7 services and work include plans and designs relating to the location,  
8 development, mining and treatment of ore and other minerals. A person shall  
9 be deemed to be practicing or offering to practice engineering if the person  
10 practices any branch of the profession of engineering, or by verbal claim,  
11 sign, advertisement, letterhead, card or any other manner represents that the  
12 person is a professional engineer, or is able to perform or does perform any  
13 engineering service or other service recognized by educational authorities as  
14 engineering. A person employed on a full-time basis as an engineer by an  
15 employer engaged in the business of developing, mining and treating ores and  
16 other minerals shall not be deemed to be practicing engineering for the  
17 purposes of this chapter if the person engages in the practice of engineering  
18 exclusively for and as an employee of such employer and does not represent  
19 that the person is available and is not represented as being available to  
20 perform any engineering services for persons other than the person's  
21 employer.

22 ~~13-~~ 18. "Engineer-in-training" means a candidate for registration as a  
23 professional engineer who is a graduate in an approved engineering curriculum  
24 of four years or more of a school approved by the board or who has had four  
25 years or more of education or experience, or both, in engineering work which  
26 meets standards specified by the board in its rules. In addition, the  
27 candidate shall have passed the engineer-in-training examination.

28 ~~14-~~ 19. "Firm" means any individual or partnership, corporation or  
29 other type of association, including the association of a nonregistrant and a  
30 registrant who offers to the public professional services regulated by the  
31 board.

32 ~~15-~~ 20. "Geological practice" means any professional service or work  
33 requiring geological education, training and experience, and the application  
34 of special knowledge of the earth sciences to such professional services as  
35 consultation, evaluation of mining properties, petroleum properties and  
36 groundwater resources, professional supervision of exploration for mineral  
37 natural resources including metallic and nonmetallic ores, petroleum and  
38 groundwater, and the geological phases of engineering investigations.

39 ~~16-~~ 21. "Geologist" means a person, not of necessity an engineer, who  
40 by reason of special knowledge of the earth sciences and the principles and  
41 methods of search for and appraisal of mineral or other natural resources  
42 acquired by professional education and practical experience is qualified to  
43 practice geology as attested by registration as a professional geologist. A  
44 person employed on a full-time basis as a geologist by an employer engaged in  
45 the business of developing, mining or treating ores and other minerals shall

1 not be deemed to be engaged in geological practice for the purposes of this  
2 chapter if the person engages in geological practice exclusively for and as  
3 an employee of such employer and does not represent that the person is  
4 available and is not represented as being available to perform any geological  
5 services for persons other than the person's employer.

6 ~~17.~~ 22. "Geologist-in-training" means a candidate for registration as  
7 a professional geologist who is a graduate of a school approved by the board  
8 or who has had four years or more of education or experience, or both, in  
9 geological work which meets standards specified by the board in its rules.  
10 In addition, the candidate shall have passed the geologist-in-training  
11 examination.

12 ~~18.~~ 23. "Home inspection" means a visual analysis for the purposes of  
13 providing a professional opinion of the building, any reasonably accessible  
14 installed components and the operation of the building's systems, including  
15 the controls normally operated by the owner, for the following components of  
16 a residential building of four units or less:

- 17 (a) Heating system.
- 18 (b) Cooling system.
- 19 (c) Plumbing system.
- 20 (d) Electrical system.
- 21 (e) Structural components.
- 22 (f) Foundation.
- 23 (g) Roof covering.
- 24 (h) Exterior and interior components.
- 25 (i) Site aspects as they affect the building.
- 26 (j) Pursuant to rules adopted by the board, swimming pool and spa.

27 ~~19.~~ 24. "Home inspection report" means a written report that is  
28 prepared for compensation, that is issued after a home inspection and that  
29 clearly describes and identifies the inspected systems, structures and  
30 components of a completed dwelling and any visible major defects found to be  
31 in need of immediate major repair and any recommendations for additional  
32 evaluation by appropriate persons.

33 ~~20.~~ 25. "Home inspector" means an individual who is certified pursuant  
34 to this chapter as a home inspector and who engages in the business of  
35 performing home inspections and writing home inspection reports.

36 ~~21.~~ 26. "Home inspector-in-training" means a candidate for  
37 certification as a home inspector who has completed a course of study  
38 approved by the board and who is participating in a training program that  
39 complies with standards recommended by the home inspector rules and standards  
40 committee and approved by the board.

41 ~~22.~~ 27. "Land surveying practice" means the performance of one or more  
42 of the following professional services:

- 43 (a) Measurement of land to determine the position of any monument or  
44 reference point which marks a property line, boundary or corner for the  
45 purpose of determining the area or description of the land.

1 (b) Location, relocation, establishment, reestablishment, setting,  
2 resetting or replacing of corner monuments or reference points which identify  
3 land boundaries, rights-of-way or easements.

4 (c) Platting or plotting of lands for the purpose of subdividing.

5 (d) Measurement by angles, distances and elevations of natural or  
6 artificial features in the air, on the surface and immediate subsurface of  
7 the earth, within underground workings and on the surface or within bodies of  
8 water for the purpose of determining or establishing their location, size,  
9 shape, topography, grades, contours or water surface and depths, and the  
10 preparation and perpetuation of field note records and maps depicting these  
11 features.

12 (e) Setting, resetting or replacing of points to guide the location of  
13 new construction.

14 ~~23-~~ 28. "Land surveyor" means a person who by reason of knowledge of  
15 the mathematical and physical sciences, principles of land surveying and  
16 evidence gathering acquired by professional education or practical  
17 experience, or both, is qualified to practice land surveying as attested by  
18 registration as a land surveyor. A person employed on a full-time basis as a  
19 land surveyor by an employer engaged in the business of developing, mining or  
20 treating ores or other minerals shall not be deemed to be engaged in land  
21 surveying practice for purposes of this chapter if the person engages in land  
22 surveying practice exclusively for and as an employee of such employer and  
23 does not represent that the person is available and is not represented as  
24 being available to perform any land surveying services for persons other than  
25 the person's employer.

26 ~~24-~~ 29. "Land surveyor-in-training" means a candidate for registration  
27 as a professional land surveyor who is a graduate of a school and curriculum  
28 approved by the board, or who has four years or more of education or  
29 experience, or both, in land surveying work which meets standards specified  
30 by the board in its rules. In addition, the candidate shall have passed the  
31 land surveyor-in-training examination.

32 ~~25-~~ 30. "Landscape architect" means a person who, by reason of  
33 professional education or practical experience, or both, is qualified to  
34 engage in the practice of landscape architecture as attested by registration  
35 as a landscape architect.

36 ~~26-~~ 31. "Landscape architect-in-training" means a candidate for  
37 registration as a professional landscape architect who is a graduate of a  
38 school approved by the board or who has had four years or more of education  
39 or experience, or both, in landscape architectural work which meets standards  
40 specified by the board in its rules. In addition, the candidate shall have  
41 passed the landscape architect-in-training examination.

42 ~~27-~~ 32. "Landscape architectural practice" means the performance of  
43 professional services such as consultations, investigation, reconnaissance,  
44 research, planning, design or responsible supervision in connection with the  
45 development of land and incidental water areas where, and to the extent that,

1 the dominant purpose of such services is the preservation, enhancement or  
2 determination of proper land uses, natural land features, ground cover and  
3 planting, naturalistic and aesthetic values, the settings of and approaches  
4 to buildings, structures, facilities or other improvements, natural drainage  
5 and the consideration and the determination of inherent problems of the land  
6 relating to erosion, wear and tear, light or other hazards. This practice  
7 shall include the location and arrangement of such tangible objects and  
8 features as are incidental and necessary to the purposes outlined in this  
9 paragraph but shall not include the making of cadastral surveys or final land  
10 plats for official recording or approval, nor mandatorily include planning  
11 for governmental subdivisions.

12 ~~33.~~ "MONITORED ALARM" MEANS A DEVICE THAT IS DESIGNED FOR THE DETECTION  
13 OF AN ENTRY ON ANY PREMISES AND THAT IF ACTIVATED GENERATES A NOTIFICATION  
14 SIGNAL.

15 ~~28.~~ 34. "On-site supervisor" means the employee of a drug laboratory  
16 site remediation firm who is authorized to oversee on-site workers in the  
17 performance of their duties.

18 ~~29.~~ 35. "On-site worker" means an employee of a drug laboratory site  
19 remediation firm who has on-site duties or who handles contaminated  
20 materials, chemicals or contaminated equipment.

21 ~~30.~~ 36. "Person" means any individual, firm, partnership, corporation,  
22 association or other organization.

23 ~~31.~~ 37. "Principal" means an individual who is an officer of the  
24 corporation or is designated by a firm as having full authority and  
25 responsible charge of the services offered by the firm.

26 38. "PROPRIETOR ALARM" MEANS ANY ALARM OR ALARM SYSTEM THAT IS OWNED BY  
27 THE ALARM SUBSCRIBER AND THAT IS NOT A MONITORED ALARM.

28 ~~32.~~ 39. "Registrant" means a person registered or certified by the  
29 board.

30 ~~33.~~ 40. "Registration" means a registration or certification issued by  
31 the board.

32 Sec. 2. Section 32-106, Arizona Revised Statutes, is amended to read:

33 ~~32-106.~~ Powers and duties

34 A. The board shall:

35 1. Adopt rules for the conduct of its meetings and performance of  
36 duties imposed upon it by law.

37 2. Adopt an official seal for attestation of certificates of  
38 registration and other official papers and documents.

39 3. Consider and pass upon applications for registration or  
40 certification.

41 4. Conduct examinations for in-training and professional registration.

42 5. Hear and pass upon complaints or charges or direct an  
43 administrative law judge to hear and pass on complaints and charges.

44 6. Compel attendance of witnesses, administer oaths and take testimony  
45 concerning all matters coming within its jurisdiction. In exercising these

1 powers, the board may issue subpoenas for the attendance of witnesses and the  
2 production of books, records, documents and other evidence it deems relevant  
3 to an investigation or hearing.

4 7. Keep a record of its proceedings.

5 8. Keep a register which shall show the date of each application for  
6 registration or certification, the name of the applicant, the practice or  
7 branch of practice in which the applicant has applied for registration, if  
8 applicable, and the disposition of the application.

9 9. Do other things necessary to carry out the purposes of this  
10 chapter.

11 B. The board shall specify the proficiency designation in the branch  
12 of engineering in which the applicant has designated proficiency on the  
13 certificate of registration and renewal card issued to each registered  
14 engineer and shall authorize the engineer to use the title of registered  
15 professional engineer. The board shall decide what branches of engineering  
16 it shall recognize.

17 C. The board may hold membership in and be represented at national  
18 councils or organizations of proficiencies registered under this chapter and  
19 may pay the appropriate membership fees. The board may conduct standard  
20 examinations on behalf of national councils and may establish fees for those  
21 examinations.

22 D. The board may employ and pay on a fee basis persons, including  
23 full-time employees of a state institution, bureau or department, to prepare  
24 and grade examinations given to applicants for registration and may fix the  
25 fee to be paid for these services. These employees are authorized to  
26 prepare, grade and monitor examinations and perform other services the board  
27 authorizes, and to receive payment for these services from the technical  
28 registration fund. The board may contract with an organization to administer  
29 the registration examination, including selecting the test site, scheduling  
30 the examination, billing and collecting the fee directly from the applicant  
31 and grading the examination if a national council of which the board is a  
32 member or a professional association approved by the board does not provide  
33 these services. If a national council of which the board is a member or a  
34 professional association approved by the board does provide these services,  
35 the board shall enter into an agreement with the national council or  
36 professional association to administer the registration examination.

37 E. The board may rent necessary office space and pay the cost of this  
38 office space from the technical registration fund.

39 F. The board may adopt rules establishing rules of professional  
40 conduct for registrants.

41 G. The board may require evidence it deems necessary to establish the  
42 continuing competency of registrants as a condition of renewal of licenses.

43 H. The board may employ persons as it deems necessary.

44 I. The board shall issue a certificate and renewal card to each drug  
45 laboratory site remediation firm, remediation supervisor and on-site worker.

1 J. THE BOARD SHALL ISSUE A RENEWAL CERTIFICATE TO EACH ALARM BUSINESS  
2 AND A RENEWAL CERTIFICATION CARD TO EACH ALARM AGENT.

3 Sec. 3. Title 32, chapter 1, article 1, Arizona Revised Statutes, is  
4 amended by adding sections 32-113 and 32-114, to read:

5 32-113. Alarm business rules and standards committee:  
6 definition

7 A. THE ALARM BUSINESS RULES AND STANDARDS COMMITTEE OF THE STATE BOARD  
8 OF TECHNICAL REGISTRATION IS ESTABLISHED AND CONSISTS OF THE FOLLOWING  
9 MEMBERS WHO ARE APPOINTED BY THE BOARD:

10 1. THREE ALARM BUSINESS OWNERS OR ALARM AGENTS, OR THEIR DESIGNEES, AT  
11 LEAST ONE OF WHOM IS A MEMBER OF THE BOARD OF DIRECTORS OF A QUALIFYING ALARM  
12 ORGANIZATION. THESE MEMBERS SHALL BE APPOINTED BY THE BOARD FROM A LIST OF  
13 NAMES THAT ANY ALARM ORGANIZATION PROVIDES IF THE ALARM ORGANIZATION MEETS  
14 ALL OF THE FOLLOWING CRITERIA:

15 (a) HAS AT LEAST TWENTY MEMBERS ACTIVELY ENGAGED IN THE ALARM INDUSTRY  
16 IN THIS STATE.

17 (b) HOLDS REGULAR ELECTIONS.

18 (c) PUBLISHES BYLAWS.

19 2. ONE LAW ENFORCEMENT OFFICER.

20 3. ONE MEMBER OF THE STATE BOARD OF TECHNICAL REGISTRATION.

21 B. THE BOARD MAY MAKE APPOINTMENTS OF ALARM BUSINESS OWNERS AND ALARM  
22 AGENTS TO THE COMMITTEE FROM THE LISTS PROVIDED PURSUANT TO SUBSECTION A OR  
23 FROM OTHERS HAVING THE NECESSARY QUALIFICATIONS.

24 C. THE MEMBERS SERVE THREE-YEAR TERMS. THE BOARD BY A MAJORITY VOTE  
25 MAY REMOVE ANY MEMBER FOR MISCONDUCT, INCAPACITY OR NEGLECT OF DUTY AND MAY  
26 APPOINT A NEW MEMBER TO COMPLETE A TERM.

27 D. THE COMMITTEE SHALL DRAFT AND RECOMMEND TO THE BOARD:

28 1. CRITERIA FOR ALARM BUSINESS AND ALARM AGENT CERTIFICATION.

29 2. STANDARDS FOR EDUCATIONAL PROGRAMS.

30 3. RULES DEFINING CONDUCT.

31 4. OTHER RULES AND STANDARDS RELATED TO ALARM BUSINESSES AND ALARM  
32 AGENTS.

33 E. THE COMMITTEE SHALL MAKE ITS INITIAL RECOMMENDATIONS WITHIN SIX  
34 MONTHS AFTER ALL MEMBERS HAVE BEEN APPOINTED, OR THE BOARD MAY PROCEED  
35 WITHOUT THESE RECOMMENDATIONS. THEREAFTER, THE COMMITTEE SHALL MAKE  
36 RECOMMENDATIONS WITHIN SIX MONTHS AFTER A BOARD REQUEST FOR RECOMMENDATIONS.  
37 THE COMMITTEE MAY INITIATE RECOMMENDATIONS AT ANY TIME IT DEEMS APPROPRIATE.

38 F. THE COMMITTEE MAY PARTICIPATE IN THE INVESTIGATION AND REVIEW OF  
39 ALARM BUSINESS AND ALARM AGENT COMPLAINTS AS PROVIDED BY THE BOARD.

40 G. FOR THE PURPOSES OF THIS SECTION, "LAW ENFORCEMENT OFFICER" MEANS  
41 ANY OF THE FOLLOWING:

42 1. A REGULARLY APPOINTED AND PAID DEPUTY SHERIFF OF A COUNTY.

43 2. A REGULARLY EMPLOYED POLICE OFFICER IN A CITY OR TOWN.

44 3. A PERSON WHO IS EMPLOYED BY A SHERIFF OR POLICE DEPARTMENT TO WORK  
45 WITH ALARM BUSINESSES AND ALARM SUBSCRIBERS.



1 MEMBERS OR SHAREHOLDERS OF THE APPLICANT IS A CORPORATION OR OTHER LEGAL  
2 ENTITY, THE PROVISIONS OF THIS SUBSECTION RELATING TO INFORMATION REQUIRED OF  
3 A CORPORATION APPLY.

4 2. IF THE APPLICANT IS A CORPORATION, GENERAL OR LIMITED PARTNERSHIP,  
5 LIMITED LIABILITY COMPANY OR OTHER LEGAL ENTITY, DESIGNATION OF ONE OF ITS  
6 OFFICERS, GENERAL PARTNERS OR MEMBERS TO ACT AS ITS DESIGNATED CONTROLLING  
7 PERSON TO HAVE FULL AUTHORITY AND ACT AS PRINCIPAL. THE DESIGNATED PERSON  
8 SHALL COMPLETE AND SIGN ALL APPLICATION FORMS REQUIRED OF AN INDIVIDUAL ALARM  
9 AGENT APPLICANT UNDER THIS ARTICLE. THE APPLICANT SHALL ALSO PROVIDE A COPY  
10 OF THE CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY FORMATION  
11 DOCUMENTS.

12 3. THE NAME OF THE APPLICANT AND EACH CONTROLLING PERSON, ANY ALIAS OR  
13 OTHER NAME USED OR BY WHICH THE APPLICANT OR ANY CONTROLLING PERSON HAS BEEN  
14 PREVIOUSLY KNOWN, THE APPLICANT'S CURRENT RESIDENCE AND BUSINESS ADDRESSES,  
15 TELEPHONE NUMBERS, INCLUDING FAX NUMBERS, AND ELECTRONIC MAILING ADDRESSES.

16 4. THE NAMES AND ADDRESSES OF THE ALARM AGENTS WHO ARE EMPLOYED BY THE  
17 ALARM BUSINESS, ALONG WITH COPIES OF EACH ALARM AGENT'S CERTIFICATE.

18 5. PROOF THAT THE APPLICANT AND EACH CONTROLLING PERSON ARE AT LEAST  
19 EIGHTEEN YEARS OF AGE AS INDICATED ON A CURRENT DRIVER LICENSE WITH PICTURE  
20 OR OTHER PICTURE IDENTIFICATION DOCUMENT THAT IS ISSUED BY A GOVERNMENTAL  
21 AGENCY.

22 6. THE HEIGHT, WEIGHT, COLOR OF EYES AND HAIR AND DATE OF BIRTH OF THE  
23 APPLICANT AND EACH CONTROLLING PERSON.

24 7. TWO CURRENT TWO INCH BY TWO INCH PHOTOGRAPHS OF THE APPLICANT AND  
25 EACH CONTROLLING PERSON.

26 8. INFORMATION AS TO WHETHER THE APPLICANT OR ANY CONTROLLING PERSON,  
27 OR THE BUSINESS ON BEHALF OF WHICH THE CERTIFICATE IS BEING APPLIED FOR, HAS  
28 EVER BEEN REFUSED OR DENIED ANY SIMILAR REGISTRATION, CERTIFICATE, LICENSE OR  
29 PERMIT OR HAS HAD ANY SIMILAR LICENSE OR PERMIT REVOKED, CANCELED OR  
30 SUSPENDED AND THE REASON OR REASONS FOR THE REVOCATION, CANCELLATION OR  
31 SUSPENSION.

32 9. FOR ALL ALARM BUSINESSES THAT INSTALL OR SERVICE ALARMS, A COPY OF  
33 THE REGISTRAR OF CONTRACTOR'S LICENSE THAT IS ISSUED BY THIS STATE.

34 10. A COPY OF THE TRANSACTION PRIVILEGE TAX LICENSE THAT IS ISSUED BY  
35 THIS STATE.

36 11. AN EXPRESS AGREEMENT BY THE ALARM BUSINESS THAT ALL RECORDS OF THE  
37 ALARM BUSINESS, WHETHER WRITTEN, RECORDED ELECTRONICALLY OR IN ANY OTHER  
38 FORM, RELATING TO INFORMATION REQUIRED TO BE SUPPLIED TO THE BOARD OR A LOCAL  
39 LAW ENFORCEMENT JURISDICTION IN CASE OF AN ALARM, SHALL BE IMMEDIATELY MADE  
40 AVAILABLE AT ANY TIME ON REQUEST FOR INSPECTION BY THE BOARD OR LOCAL LAW  
41 ENFORCEMENT JURISDICTION.

42 12. A COPY OF THE ALARM BUSINESS'S GENERAL LIABILITY AND ERRORS AND  
43 OMISSIONS INSURANCE COVERAGES IN AN AMOUNT OF AT LEAST ONE MILLION DOLLARS  
44 PER OCCURRENCE. THE DESIGNATED CONTROLLING PERSON SHALL NOTIFY THE BOARD OF

1 CANCELLATION OF EITHER INSURANCE. CANCELLATION OF EITHER INSURANCE WITHOUT  
2 IMMEDIATE REPLACEMENT MAY RESULT IN LOSS OF CERTIFICATION.

3 13. OTHER INFORMATION, EVIDENCE, STATEMENTS OR DOCUMENTS THAT THE BOARD  
4 DEEMS REASONABLY NECESSARY TO PROCESS AND EVALUATE THE APPLICATION OR  
5 RENEWAL.

6 C. AN APPLICANT FOR AN ALARM BUSINESS CERTIFICATE OR AN APPLICANT FOR  
7 A RENEWAL OF AN ALARM BUSINESS CERTIFICATE SHALL NOTIFY THE BOARD, IN  
8 WRITING, OF ANY CHANGE IN THE INFORMATION CONTAINED IN THE CERTIFICATE  
9 APPLICATION OR RENEWAL APPLICATION. THE APPLICANT SHALL NOTIFY THE BOARD  
10 WITHIN FIFTEEN CALENDAR DAYS AFTER THE OCCURRENCE OF THE CHANGE.

11 D. AN ALARM BUSINESS SHALL FILE AN APPLICATION FOR A CERTIFICATE  
12 RENEWAL WITH THE BOARD NO LATER THAN FOURTEEN DAYS BEFORE THE EXPIRATION OF  
13 THE CERTIFICATE THAT IS CURRENTLY IN EFFECT. IF A CERTIFICATE EXPIRES  
14 WITHOUT THE ALARM BUSINESS HAVING SUBMITTED A TIMELY APPLICATION FOR RENEWAL,  
15 THE HOLDER OF THE EXPIRED CERTIFICATE SHALL FILE A NEW APPLICATION FOR AN  
16 INITIAL CERTIFICATE.

17 E. AN ALARM BUSINESS SHALL PLACE THE ALARM CERTIFICATE NUMBER ON ALL  
18 WRITTEN BIDS AND CONTRACTS THAT ARE ENTERED INTO BETWEEN THE ALARM BUSINESS  
19 AND ALARM SUBSCRIBER AND ON ALL LETTERHEADS AND BUSINESS CARDS.

20 32-122.06. Certification of alarm agents; fee; fingerprints;  
21 training; renewal

22 A. EACH ALARM AGENT SHALL APPLY FOR AN ALARM AGENT CERTIFICATION AND A  
23 RENEWAL CERTIFICATION CARD FROM THE BOARD. ALL ALARM AGENT CERTIFICATES  
24 ISSUED PURSUANT TO THIS ARTICLE ARE VALID FOR TWO YEARS FROM THE DATE OF  
25 ISSUANCE.

26 B. IN ORDER TO OBTAIN AN ALARM AGENT CERTIFICATE, A PERSON SHALL  
27 SUBMIT AN APPLICATION AND PAY A FEE AS DETERMINED BY THE BOARD AND SUBMIT A  
28 FULL SET OF FINGERPRINTS TO THE BOARD FOR THE PURPOSE OF OBTAINING A STATE  
29 AND FEDERAL CRIMINAL RECORDS CHECK PURSUANT TO SECTION 41-1750 AND PUBLIC LAW  
30 92-544, OR THE BOARD MAY OBTAIN IT DIRECTLY IF PERMITTED. THE DEPARTMENT OF  
31 PUBLIC SAFETY OR THE BOARD SHALL EXCHANGE THIS FINGERPRINT DATA WITH THE  
32 FEDERAL BUREAU OF INVESTIGATION OR THE NATIONAL INSTANT CRIMINAL BACKGROUND  
33 CHECK SYSTEM, OR BOTH. ANY DOCUMENTS AND INFORMATION RELATING TO THE STATE  
34 AND FEDERAL CRIMINAL RECORDS CHECK REQUIRED BY THIS SECTION ARE NOT PUBLIC  
35 RECORDS.

36 C. AN ALARM AGENT WHO APPLIES FOR AN ALARM AGENT CERTIFICATE SHALL  
37 COMPLETE TRAINING AS APPROVED BY THE BOARD. THIS SUBSECTION DOES NOT APPLY  
38 FOR INITIAL CERTIFICATION OF AN APPLICANT WHO APPLIES FOR A CERTIFICATE ON OR  
39 BEFORE JUNE 30, 2012.

40 D. A PERSON SHALL APPLY FOR AN ALARM AGENT CERTIFICATE WITHIN FIVE  
41 WORKING DAYS AFTER BEING EMPLOYED BY AN ALARM BUSINESS. A PERSON MAY WORK AS  
42 AN ALARM AGENT UNTIL THE APPLICATION IS PROCESSED.

1           Sec. 6. Title 32, chapter 1, article 3, Arizona Revised Statutes, is  
2 amended by adding sections 32-153 and 32-154, to read:

3           32-153. Duties of an alarm business

4           AN ALARM BUSINESS SHALL:

5           1. ENSURE THAT EACH CONTROLLING PERSON OF THE ALARM BUSINESS HAS AT  
6 ALL TIMES A VALID CERTIFICATE.

7           2. ENSURE THAT EACH ALARM AGENT WHO IS AN EMPLOYEE OF OR UNDER  
8 CONTRACT WITH THE ALARM BUSINESS HAS A VALID ALARM AGENT CERTIFICATE AND, IF  
9 APPROPRIATE, THE REQUIRED TRAINING.

10          3. ENSURE THAT EACH ALARM BUSINESS IT CONTRACTS WITH IS DULY CERTIFIED  
11 UNDER THIS CHAPTER.

12          32-154. Program termination

13          THE REGULATION OF ALARM BUSINESSES AND ALARM AGENTS PURSUANT TO THIS  
14 CHAPTER ENDS ON JULY 1, 2021 PURSUANT TO SECTION 41-3102.

15          Sec. 7. Technical registration fund; use; certification of  
16 alarm businesses and alarm agents

17          Notwithstanding section 32-109, Arizona Revised Statutes, in fiscal  
18 year 2011-2012, up to one hundred eighty thousand dollars from the technical  
19 registration fund established by section 32-109, Arizona Revised Statutes,  
20 may be used for the start-up and operating costs incurred by the state board  
21 of technical registration as a result of the certification of alarm  
22 businesses and alarm agents.

23          Sec. 8. Initial terms of alarm business rules and standards  
24 committee

25          A. Pursuant to section 32-113, Arizona Revised Statutes, as added by  
26 this act, the initial terms of the members of the alarm business rules and  
27 standards committee of the state board of technical registration are:

28           1. Two terms ending on July 1, 2013.

29           2. Two terms ending on July 1, 2014.

30           3. One term ending on July 1, 2015.

31          B. The state board of technical registration shall make all subsequent  
32 appointments as prescribed by statute.