

State of Arizona  
House of Representatives  
Fifty-first Legislature  
First Regular Session  
2013

# HOUSE BILL 2185

AN ACT

AMENDING SECTIONS 32-101, 32-106, 32-113, 32-121, 32-122.05 AND 32-122.06,  
ARIZONA REVISED STATUTES; RELATING TO THE 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,  
20 medical alert or proprietor alarm that requires emergency personnel to  
21 respond.  
22 (c) Does not include a telephone call diverter or a system that is  
23 designed to report environmental and other occurrences and that is not  
24 designed or used to alert or cause other persons to alert public safety  
25 personnel.  
26 3. "Alarm agent":  
27 (a) Means a person, whether an employee, an independent contractor or  
28 otherwise, who acts on behalf of an alarm business and who tests, maintains,  
29 services, repairs, sells, rents, leases or installs alarm systems other than  
30 an alarm system located on the person's own property or the property of the  
31 person's employer.  
32 (b) DOES NOT INCLUDE A PERSON, INCLUDING AN EMPLOYEE OR AN INDEPENDENT  
33 CONTRACTOR OF AN ALARM BUSINESS OR A PERSON WHO OTHERWISE HAS A WORKING  
34 RELATIONSHIP WITH AN ALARM BUSINESS, WHOSE WORK ON BEHALF OF THE ALARM  
35 BUSINESS DOES NOT INCLUDE VISITING THE LOCATION WHERE THE ALARM SYSTEM WILL  
36 BE INSTALLED.  
37 4. "Alarm business":  
38 (a) Means any person who, either alone or through a third party,  
39 engages in the business of either of the following:  
40 (i) Providing alarm monitoring services.  
41 (ii) Selling, leasing, renting, maintaining, repairing or installing a  
42 nonproprietor alarm system or service.  
43 (b) Does not include any of the following:  
44 (i) A person or company that purchases, rents or uses an alarm that is  
45 affixed to a motor vehicle.

- 1 (ii) A person who owns or conducts a business of selling, leasing,  
2 renting, installing, maintaining or monitoring an alarm that is affixed to a  
3 motor vehicle.
- 4 (iii) A person who installs a nonmonitored proprietor alarm for a  
5 business that the person owns, is employed by or manages.
- 6 (iv) The installation or monitoring of fire alarm systems.
- 7 (v) An alarm system that is operated by a city or town.
- 8 5. "Alarm subscriber" means any person who:
- 9 (a) Leases, rents or purchases any monitored alarm system or service  
10 from an alarm business.
- 11 (b) Leases or rents an alarm system.
- 12 (c) Contracts with an alarm business for alarm monitoring,  
13 installation, repair or maintenance services.
- 14 6. "Architect" means a person who, by reason of knowledge of the  
15 mathematical and physical sciences and the principles of architecture and  
16 architectural engineering acquired by professional education and practical  
17 experience, is qualified to engage in the practice of architecture as  
18 attested by registration as an architect.
- 19 7. "Architect-in-training" means a candidate for registration as a  
20 professional architect who is a graduate of a school approved by the board or  
21 who has five years or more of education or experience, or both, in  
22 architectural work ~~which~~ THAT meets standards specified by the board in its  
23 rules. In addition, the candidate shall have passed the architect-in-training  
24 examination.
- 25 8. "Architectural practice" means any professional service or creative  
26 work requiring architectural education, training and experience, and the  
27 application of the mathematical and physical sciences and the principles of  
28 architecture and architectural engineering to such professional services or  
29 creative work as consultation, evaluation, design and review of construction  
30 for conformance with contract documents and design, in connection with any  
31 building, planning or site development. A person shall be deemed to practice  
32 or offer to practice architecture who in any manner represents that the  
33 person is an architect, or is able to perform any architectural service or  
34 other services recognized by educational authorities as architecture.
- 35 9. "Assayer" means a person who analyzes metals, ores, minerals, ~~—~~ or  
36 alloys in order to ascertain the quantity of gold or silver or any other  
37 substance present in them. A person employed on a full-time basis as an  
38 assayer by an employer engaged in the business of developing, mining or  
39 treating ores or other minerals shall not be deemed to be engaged in assaying  
40 practice for the purposes of this chapter if the person engages in assaying  
41 practice exclusively for and as an employee of such employer and does not  
42 represent that the person is available and is not represented as being  
43 available to perform any assaying services for anyone other than the person's  
44 employer.

1           10. "Assayer-in-training" means a candidate for registration as a  
2 professional assayer who is a graduate of a school and curriculum approved by  
3 the board or who has four years or more of education or experience, or both,  
4 in assaying work ~~which~~ THAT meets standards specified by the board in its  
5 rules. In addition, the candidate shall have passed the assayer-in-training  
6 examination.

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

14           12. "Board" means the state board of technical registration.

15           13. "Certified remediation specialist" means a person who has been  
16 certified by the board to perform, supervise and review environmental  
17 remediations if the use of a certified remediation specialist is specifically  
18 authorized by title 49 and rules adopted pursuant to title 49.

19           14. "Controlling person"~~:-~~

20           ~~(a)~~ means a person who OWNS PART OF AN ALARM BUSINESS OR WHO IS  
21 DESIGNATED BY THE OWNER, OR IF THE ALARM BUSINESS IS PUBLICLY HELD, WHO is  
22 designated by ~~an~~ THE alarm business.

23           ~~(b) Does not include an alarm agent.~~

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

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

38           (c) "Methamphetamine" has the same meaning prescribed in section  
39 13-3401, paragraph 6 and includes any of the precursor chemicals, regulated  
40 chemicals, other substances or equipment used in the unlawful manufacture of  
41 the dangerous drug.

42           16. "Engineer" means a person who, by reason of special knowledge of  
43 the mathematical and physical sciences and the principles and methods of  
44 engineering analysis and design acquired by professional education and

1 practical experience, is qualified to practice engineering as attested by  
2 registration as a professional engineer.

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

27 18. "Engineer-in-training" means a candidate for registration as a  
28 professional engineer who is a graduate in an approved engineering curriculum  
29 of four years or more of a school approved by the board or who has had four  
30 years or more of education or experience, or both, in engineering work **which**  
31 **THAT** meets standards specified by the board in its rules. In addition, the  
32 candidate shall have passed the engineer-in-training examination.

33 19. "Firm" means any individual or partnership, corporation or other  
34 type of association, including the association of a nonregistrant and a  
35 registrant who offers to the public professional services regulated by the  
36 board.

37 20. "Geological practice" means any professional service or work  
38 requiring geological education, training and experience, and the application  
39 of special knowledge of the earth sciences to such professional services as  
40 consultation, evaluation of mining properties, petroleum properties and  
41 groundwater resources, professional supervision of exploration for mineral  
42 natural resources including metallic and nonmetallic ores, petroleum and  
43 groundwater, and the geological phases of engineering investigations.

44 21. "Geologist" means a person, not of necessity an engineer, who by  
45 reason of special knowledge of the earth sciences and the principles and

1 methods of search for and appraisal of mineral or other natural resources  
2 acquired by professional education and practical experience is qualified to  
3 practice geology as attested by registration as a professional geologist. A  
4 person employed on a full-time basis as a geologist by an employer engaged in  
5 the business of developing, mining or treating ores and other minerals shall  
6 not be deemed to be engaged in geological practice for the purposes of this  
7 chapter if the person engages in geological practice exclusively for and as  
8 an employee of such employer and does not represent that the person is  
9 available and is not represented as being available to perform any geological  
10 services for persons other than the person's employer.

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

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

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

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

38 25. "Home inspector" means an individual who is certified pursuant to  
39 this chapter as a home inspector and who engages in the business of  
40 performing home inspections and writing home inspection reports.

41 26. "Home inspector-in-training" means a candidate for certification as  
42 a home inspector who has completed a course of study approved by the board  
43 and who is participating in a training program that complies with standards  
44 recommended by the home inspector rules and standards committee and approved  
45 by the board.

1           27. "Land surveying practice" means the performance of one or more of  
2 the following professional services:

3           (a) Measurement of land to determine the position of any monument or  
4 reference point ~~which~~ THAT marks a property line, boundary or corner for the  
5 purpose of determining the area or description of the land.

6           (b) Location, relocation, establishment, reestablishment, setting,  
7 resetting or replacing of corner monuments or reference points ~~which~~ THAT  
8 identify land boundaries, rights-of-way or easements.

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

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

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

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

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

37           30. "Landscape architect" means a person who, by reason of professional  
38 education or practical experience, or both, is qualified to engage in the  
39 practice of landscape architecture as attested by registration as a landscape  
40 architect.

41           31. "Landscape architect-in-training" means a candidate for  
42 registration as a professional landscape architect who is a graduate of a  
43 school approved by the board or who has had four years or more of education  
44 or experience, or both, in landscape architectural work ~~which~~ THAT meets

1 standards specified by the board in its rules. In addition, the candidate  
2 shall have passed the landscape architect-in-training examination.

3 32. "Landscape architectural practice" means the performance of  
4 professional services such as consultations, investigation, reconnaissance,  
5 research, planning, design or responsible supervision in connection with the  
6 development of land and incidental water areas where, and to the extent that,  
7 the dominant purpose of such services is the preservation, enhancement or  
8 determination of proper land uses, natural land features, ground cover and  
9 planting, naturalistic and aesthetic values, the settings of and approaches  
10 to buildings, structures, facilities or other improvements, natural drainage  
11 and the consideration and the determination of inherent problems of the land  
12 relating to erosion, wear and tear, light or other hazards. This practice  
13 shall include the location and arrangement of such tangible objects and  
14 features as are incidental and necessary to the purposes outlined in this  
15 paragraph but shall not include the making of cadastral surveys or final land  
16 plats for official recording or approval, nor mandatorily include planning  
17 for governmental subdivisions.

18 33. "Monitored alarm" means a device that is designed for the detection  
19 of an entry on any premises and that if activated generates a notification  
20 signal.

21 34. "On-site supervisor" means the employee of a drug laboratory site  
22 remediation firm who is authorized to oversee on-site workers in the  
23 performance of their duties.

24 35. "On-site worker" means an employee of a drug laboratory site  
25 remediation firm who has on-site duties or who handles contaminated  
26 materials, chemicals or contaminated equipment.

27 36. "Person" means any individual, firm, partnership, corporation,  
28 association or other organization.

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

32 38. "Proprietor alarm" means any alarm or alarm system that is owned by  
33 an alarm subscriber who has not contracted with an alarm business.

34 39. "Registrant" means a person registered or certified by the board.

35 40. "Registration" means a registration or certification issued by the  
36 board.

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

38 32-106. Powers and duties

39 A. The board shall:

40 1. Adopt rules for the conduct of its meetings and performance of  
41 duties imposed ~~upon~~ ON it by law.

42 2. Adopt an official seal for attestation of certificates of  
43 registration and other official papers and documents.

44 3. Consider and pass ~~upon~~ ON applications for registration or  
45 certification.

1           4. Conduct examinations for in-training and professional registration  
2 except for an alarm business or an alarm agent.

3           5. Hear and pass ~~upon~~ ON complaints or charges or direct an  
4 administrative law judge to hear and pass on complaints and charges.

5           6. Compel attendance of witnesses, administer oaths and take testimony  
6 concerning all matters coming within its jurisdiction. In exercising these  
7 powers, the board may issue subpoenas for the attendance of witnesses and the  
8 production of books, records, documents and other evidence it deems relevant  
9 to an investigation or hearing.

10          7. Keep a record of its proceedings.

11          8. Keep a register ~~which shall show~~ THAT SHOWS the date of each  
12 application for registration or certification, the name of the applicant, the  
13 practice or branch of practice in which the applicant has applied for  
14 registration, if applicable, and the disposition of the application.

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

17          B. The board shall specify the proficiency designation in the branch  
18 of engineering in which the applicant has designated proficiency on the  
19 certificate of registration and renewal card issued to each registered  
20 engineer and shall authorize the engineer to use the title of registered  
21 professional engineer. The board shall decide what branches of engineering  
22 it shall recognize.

23          C. The board may hold membership in and be represented at national  
24 councils or organizations of proficiencies registered under this chapter and  
25 may pay the appropriate membership fees. The board may conduct standard  
26 examinations on behalf of national councils and may establish fees for those  
27 examinations.

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

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

1 F. The board may adopt rules establishing rules of professional  
2 conduct for registrants.

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

5 H. Subject to title 41, chapter 4, article 4, the board may employ  
6 persons as it deems necessary.

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

9 J. The board shall issue or may authorize the executive director to  
10 issue a certificate or renewal certificate to each alarm business and a  
11 certification or renewal certification card to each alarm agent **AND**  
12 **CONTROLLING PERSON** if the qualifications prescribed by this chapter are met.

13 Sec. 3. Section 32-113, Arizona Revised Statutes, is amended to read:

14 **32-113. Preemption; power of local authorities**

15 A. The state legislature determines that the licensure, certification  
16 or registration of alarm businesses and alarm agents is a matter of statewide  
17 concern. The power to license, register or certify an alarm business or  
18 alarm agent is preempted by this state.

19 B. The board, a county, a city, including a charter city, or a town  
20 shall not require an alarm business to provide any information regarding the  
21 alarm subscribers of the alarm business ~~without a court order~~, **EXCEPT THAT IF**  
22 **LAW ENFORCEMENT IS REQUESTED TO RESPOND, THE NAME, ADDRESS AND CONTACT**  
23 **INFORMATION OF THE SUBSCRIBERS MAY BE REQUIRED.**

24 C. A county, city, including a charter city, or town that violates  
25 this section shall reimburse a prevailing party for fees and expenses. A  
26 court may assess civil penalties against the county or city.

27 Sec. 4. Section 32-121, Arizona Revised Statutes, is amended to read:

28 **32-121. Certificate or registration required for practice**

29 Except as otherwise provided in this section, a person or firm desiring  
30 to practice any board regulated profession or occupation shall first secure a  
31 certificate or registration and shall comply with all the conditions  
32 prescribed in this chapter. An alarm business or an alarm agent may install  
33 alarms as follows:

34 1. The alarm business has submitted an application for certification  
35 pursuant to section 32-122.05 or is a licensed contractor pursuant to chapter  
36 10 of this title **AND HAS SUBMITTED A FULL SET OF FINGERPRINTS TO THE**  
37 **REGISTRAR OF CONTRACTORS PURSUANT TO SECTION 32-1122.**

38 2. The alarm agent ~~has~~ **AND CONTROLLING PERSON HAVE** submitted an  
39 application and fingerprints to the board pursuant to ~~section~~ **SECTIONS**  
40 **32-122.05 AND 32-122.06 OR THE ALARM AGENT HAS SUBMITTED A FULL SET OF**  
41 **FINGERPRINTS TO THE REGISTRAR OF CONTRACTORS PURSUANT TO SECTION 32-1122 AND**  
42 **EITHER IS A LICENSED CONTRACTOR PURSUANT TO CHAPTER 10 OF THIS TITLE OR IS**  
43 **EMPLOYED BY A LICENSED CONTRACTOR PURSUANT TO CHAPTER 10 OF THIS TITLE.**



1 ~~shall also provide a copy of the corporation, partnership or limited~~  
2 ~~liability company formation documents.~~

3 3. The name of the applicant and each controlling person, any alias or  
4 other name used or by which the applicant or any controlling person has been  
5 previously known, the applicant's current residence and business addresses,  
6 telephone numbers, including fax numbers, and electronic mail addresses.

7 4. The names and addresses of the alarm agents who are employed by the  
8 alarm business.

9 5. Proof that the applicant and each controlling person are at least  
10 eighteen years of age as indicated on a current driver license or other  
11 picture identification document that is issued by a governmental agency.

12 6. Two current two-inch by two-inch photographs of the ~~applicant~~  
13 **CONTROLLING PERSON.**

14 7. Information as to whether the applicant or any controlling person,  
15 or the business on behalf of which the certificate is being applied for, has  
16 ever been refused or denied any similar registration, certificate, license or  
17 permit or has had any similar license or permit revoked, canceled or  
18 suspended and the reason or reasons for the **DENIAL**, revocation, cancellation  
19 or suspension.

20 C. In addition to the application requirements prescribed in  
21 subsection B of this section, an applicant for an alarm business certificate  
22 shall pay a fee as determined by the board.

23 D. An applicant for an alarm business certificate or an applicant for  
24 a renewal of an alarm business certificate ~~shall~~ **MAY** notify the board, in  
25 writing, of any change in the information contained in the certificate  
26 application or renewal application. ~~The applicant shall notify the board~~  
27 ~~within fifteen calendar days after the occurrence of the change.~~

28 E. An alarm business shall file an application for a certificate  
29 renewal with the board no later than fourteen days before the expiration of  
30 the certificate that is currently in effect. If a certificate expires  
31 without the alarm business having submitted a timely application for renewal,  
32 the holder of the expired certificate shall file a new application for an  
33 initial certificate.

34 Sec. 6. Section 32-122.06, Arizona Revised Statutes, is amended to  
35 read:

36 **32-122.06. Certification of alarm agents; fingerprinting; fee**

37 A. Each alarm agent shall apply for an alarm agent certification and a  
38 renewal certification card from the board. The board shall issue or deny an  
39 alarm agent certification card or a renewal certification card within ten  
40 business days after receiving the ~~application~~ **BACKGROUND CHECK RESULTS FROM**  
41 **THE DEPARTMENT OF PUBLIC SAFETY WITHOUT A CONVICTION OF ANY CRIME THAT IS**  
42 **LISTED IN SECTION 32-122.07. IF THE BACKGROUND CHECK RESULTS SHOW A**  
43 **CONVICTION OF A CRIME LISTED IN SECTION 32-122.07, THE BOARD HAS THIRTY DAYS**  
44 **TO REVIEW THE RESULTS BEFORE THE BOARD MUST ISSUE OR DENY THE LICENSE. ALL**

1 alarm agent certificates issued pursuant to this article are valid for two  
2 years from the date of issuance.

3 B. In order to obtain an alarm agent certificate OR RENEWAL  
4 CERTIFICATE, a person shall submit an application, INCLUDING TWO CURRENT  
5 TWO-INCH BY TWO-INCH PHOTOGRAPHS, and pay a fee as determined by the board.  
6 The person shall submit a completed fingerprint card and a fingerprint  
7 background check fee to the board. On receipt of the application and each  
8 year thereafter on the anniversary of the initial certification for as long  
9 as the person is an alarm agent, the board shall submit the alarm agent's  
10 fingerprints to the department of public safety for the purpose of obtaining  
11 a state and federal criminal records check pursuant to section 41-1750 and  
12 Public Law 92-544. The department of public safety may exchange this  
13 fingerprint data with the federal bureau of investigation. THE FINGERPRINT  
14 CARD AND FINGERPRINT BACKGROUND CHECK FEES REQUIRED BY THIS SUBSECTION DO NOT  
15 APPLY IF THE ALARM AGENT IS ALSO THE CONTROLLING PERSON AND HAS SUBMITTED A  
16 COMPLETED FINGERPRINT CARD AND A FINGERPRINT BACKGROUND CHECK FEE TO THE  
17 BOARD PURSUANT TO SECTION 32-122.05. For as long as the person is an alarm  
18 agent:

19 1. The person shall submit a fingerprint background check fee to the  
20 board annually on the anniversary of the person's initial certification.

21 2. The board shall keep and maintain the fingerprint card.

22 C. A person shall apply for an alarm agent certificate within five  
23 working days after being ~~employed by an alarm business~~ PLACED IN AN ALARM  
24 AGENT POSITION. A person may not work as an alarm agent until the  
25 application is processed and approved unless under the direct supervision of  
26 a certified alarm agent.

27 D. An alarm agent shall physically possess the agent's alarm agent  
28 certification card when performing or authorizing the performance of any task  
29 pursuant to this chapter.

30 E. An alarm agent certificate card becomes the personal property of  
31 the person to whom it is issued. The person shall retain possession of the  
32 card UNLESS THE BOARD REVOKES THE CERTIFICATION UNDER THIS CHAPTER.