

State of Arizona  
House of Representatives  
Fifty-fourth Legislature  
First Regular Session  
2019

# HOUSE BILL 2037

## AN ACT

AMENDING SECTIONS 32-101 AND 32-106, ARIZONA REVISED STATUTES; AMENDING SECTION 32-122, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2016, CHAPTER 167, SECTION 5; REPEALING SECTION 32-122, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2016, CHAPTER 352, SECTION 9 AND CHAPTER 371, SECTION 11; AMENDING SECTIONS 32-122.01 AND 32-126, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-126.01; AMENDING SECTION 41-619.51, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 46, SECTION 3 AND CHAPTER 296, SECTION 12; REPEALING SECTION 41-619.51, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 287, SECTION 3; AMENDING SECTION 41-1758, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 46, SECTION 4 AND CHAPTER 296, SECTION 13; REPEALING SECTION 41-1758, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 287, SECTION 4; AMENDING SECTION 41-1758.01, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 46, SECTION 5 AND CHAPTER 296, SECTION 14; REPEALING SECTION 41-1758.01, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 287, SECTION 5; 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. Heading change

3 The chapter heading of title 32, chapter 1, Arizona Revised  
4 Statutes, is changed from "ARCHITECTS, ENGINEERS, GEOLOGISTS, HOME  
5 INSPECTORS, LANDSCAPE ARCHITECTS AND SURVEYORS" to "ARCHITECTS, ENGINEERS,  
6 GEOLOGISTS, HOME INSPECTORS, LANDSCAPE ARCHITECTS, LAND SURVEYORS AND THE  
7 ALARM INDUSTRY".

8 Sec. 2. Section 32-101, Arizona Revised Statutes, is amended to  
9 read:

10 32-101. Purpose: definitions

11 A. The purpose of this chapter is to provide for the safety, health  
12 and welfare of the public through the promulgation and enforcement of  
13 standards of qualification for those individuals who are registered or  
14 certified and seeking registration or certification pursuant to this  
15 chapter.

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

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

19 2. "Alarm" or "alarm system":

20 (a) Means any mechanical or electrical device that is designed to  
21 emit an audible alarm or transmit a signal or message if activated and  
22 that is used to detect an unauthorized entry into a building or other  
23 facility or alert other persons of the occurrence of a medical emergency  
24 or the commission of an unlawful act against a person or in a building or  
25 other facility.

26 (b) Includes a silent, panic, holdup, robbery, duress, burglary,  
27 medical alert or proprietor alarm that requires emergency personnel to  
28 respond.

29 (c) Does not include a telephone call diverter or a system that is  
30 designed to report environmental and other occurrences and that is not  
31 designed or used to alert or cause other persons to alert public safety  
32 personnel.

33 3. "Alarm agent":

34 (a) Means a person, whether an employee, an independent contractor  
35 or otherwise, who acts on behalf of an alarm business and who tests,  
36 maintains, services, repairs, sells, rents, leases or installs alarm  
37 systems.

38 (b) Does not include any action by a person that:

39 (i) Is performed in connection with an alarm system located on the  
40 person's own property or the property of the person's employer.

41 (ii) Is acting on behalf of an alarm business whose work duties do  
42 not include visiting the location where an alarm system installation  
43 occurs.

- 1           4. "Alarm business":  
2           (a) Means any person who, either alone or through a third party,  
3 engages in the business of either of the following:  
4           (i) Providing alarm monitoring services.  
5           (ii) Selling, leasing, renting, maintaining, repairing or  
6 installing a nonproprietary alarm system or service.  
7           (b) Does not include any of the following:  
8           (i) A person or company that purchases, rents or uses an alarm that  
9 is affixed to a motor vehicle.  
10           (ii) A person who owns or conducts a business of selling, leasing,  
11 renting, installing, maintaining or monitoring an alarm that is affixed to  
12 a motor vehicle.  
13           (iii) A person who installs a nonmonitored proprietor alarm for a  
14 business that the person owns, is employed by or manages.  
15           (iv) The installation or monitoring of fire alarm systems.  
16           (v) An alarm system that is operated by a city or town.  
17           5. "Alarm subscriber" means any person who:  
18           (a) Leases, rents or purchases any monitored alarm system or  
19 service from an alarm business.  
20           (b) Leases or rents an alarm system.  
21           (c) Contracts with an alarm business for alarm monitoring,  
22 installation, repair or maintenance services.  
23           6. "Architect" means a person who, by reason of knowledge of the  
24 mathematical and physical sciences and the principles of architecture and  
25 architectural engineering acquired by professional education and practical  
26 experience, is qualified to engage in the practice of architecture and is  
27 registered as an architect pursuant to this chapter.  
28           7. "Architectural practice" means any professional service or  
29 creative work requiring architectural education, training and experience,  
30 and the application of the mathematical and physical sciences and the  
31 principles of architecture and architectural engineering to such  
32 professional services or creative work as consultation, evaluation, design  
33 and review of construction for conformance with contract documents and  
34 design, in connection with any building, planning or site development. A  
35 person shall be deemed to practice or offer to practice architecture who  
36 in any manner represents that the person is an architect or is able to  
37 perform any architectural service or other services recognized by  
38 educational authorities as architecture.  
39           8. "Board" means the state board of technical registration.  
40           9. "Controlling person":  
41           (a) Means a person who is designated by an alarm business.  
42           (b) Does not include an alarm agent.  
43           10. "Engineer" means a person who, by reason of special knowledge  
44 of the mathematical and physical sciences and the principles and methods  
45 of engineering analysis and design acquired by professional education and

1 practical experience, is qualified to practice engineering and is  
2 registered as a professional engineer pursuant to this chapter.

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

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

34 ~~13.~~ 12. "Firm" means any individual or partnership, corporation or  
35 other type of association, including the association of a nonregistrant  
36 and a registrant who offers to the public professional services regulated  
37 by the board.

38 ~~14.~~ 13. "Geological practice" means any professional service or  
39 work requiring geological education, training and experience, and the  
40 application of special knowledge of the earth sciences to such  
41 professional services as consultation, evaluation of mining properties,  
42 petroleum properties and groundwater resources, professional supervision  
43 of exploration for mineral natural resources including metallic and  
44 nonmetallic ores, petroleum and groundwater, and the geological phases of  
45 engineering investigations.

1           ~~15.~~ 14. "Geologist" means a person, not of necessity an engineer,  
2 who by reason of special knowledge of the earth sciences and the  
3 principles and methods of search for and appraisal of mineral or other  
4 natural resources acquired by professional education and practical  
5 experience is qualified to practice geology as attested by registration as  
6 a professional geologist. A person employed on a full-time basis as a  
7 geologist by an employer engaged in the business of developing, mining or  
8 treating ores and other minerals shall not be deemed to be engaged in  
9 geological practice for the purposes of this chapter if the person engages  
10 in geological practice exclusively for and as an employee of such employer  
11 and does not represent that the person is available and is not represented  
12 as being available to perform any geological services for persons other  
13 than the person's employer.

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

20           ~~17.~~ 15. "Home inspection" means a visual analysis for the purposes  
21 of providing a professional opinion of the building, any reasonably  
22 accessible installed components and the operation of the building's  
23 systems, including the controls normally operated by the owner, for the  
24 following components of a residential building of four units or less:

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

35           ~~18.~~ 16. "Home inspection report" means a written report that is  
36 prepared for compensation, that is issued after a home inspection and that  
37 clearly describes and identifies the inspected systems, structures and  
38 components of a completed dwelling and any visible major defects found to  
39 be in need of immediate major repair and any recommendations for  
40 additional evaluation by appropriate persons.

41           ~~19.~~ 17. "Home inspector" means an individual who is certified  
42 pursuant to this chapter as a home inspector and who engages in the  
43 business of performing home inspections and writing home inspection  
44 reports.

1           ~~23.~~ 18. "Landscape architect" means a person who, by reason of  
2 professional education or practical experience, or both, is qualified to  
3 engage in the practice of landscape architecture as attested by  
4 registration as a landscape architect.

5           ~~24.~~ 19. "Landscape architectural practice" means the performance  
6 of professional services such as consultations, investigation,  
7 reconnaissance, research, planning, design or responsible supervision in  
8 connection with the development of land and incidental water areas where,  
9 and to the extent that, the dominant purpose of such services is the  
10 preservation, enhancement or determination of proper land uses, natural  
11 land features, ground cover and planting, naturalistic and aesthetic  
12 values, the settings of and approaches to buildings, structures,  
13 facilities or other improvements, natural drainage and the consideration  
14 and the determination of inherent problems of the land relating to  
15 erosion, wear and tear, light or other hazards. This practice shall  
16 include the location and arrangement of such tangible objects and features  
17 as are incidental and necessary to the purposes outlined in this paragraph  
18 but shall not include the making of cadastral surveys or final land plats  
19 for official recording or approval, nor mandatorily include planning for  
20 governmental subdivisions.

21           20. "Land surveying practice" means the performance of one or more  
22 of the following professional services:

23           (a) Measurement of land to determine the position of any monument  
24 or reference point that marks a property line, boundary or corner for the  
25 purpose of determining the area or description of the land.

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

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

30           (d) Measurement by angles, distances and elevations of natural or  
31 artificial features in the air, on the surface and immediate subsurface of  
32 the earth, within underground workings and on the surface or within bodies  
33 of water for the purpose of determining or establishing their location,  
34 size, shape, topography, grades, contours or water surface and depths, and  
35 the preparation and perpetuation of field note records and maps depicting  
36 these features.

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

39           21. "Land surveyor" means a person who by reason of knowledge of  
40 the mathematical and physical sciences, principles of land surveying and  
41 evidence gathering acquired by professional education or practical  
42 experience, or both, is qualified to practice land surveying as attested  
43 by registration as a land surveyor. A person employed on a full-time  
44 basis as a land surveyor by an employer engaged in the business of  
45 developing, mining or treating ores or other minerals shall not be deemed

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

6 ~~22. "Land surveyor-in-training" means a candidate for registration~~  
7 ~~as a professional land surveyor who is a graduate of a school and~~  
8 ~~curriculum approved by the board or who has four years or more of~~  
9 ~~education or experience, or both, in land surveying work that meets~~  
10 ~~standards specified by the board in its rules. In addition, the candidate~~  
11 ~~shall have passed the land surveyor-in-training examination.~~

12 ~~25.~~ 22. "Monitored alarm" means a device that is designed for the  
13 detection of an entry on any premises and that if activated generates a  
14 notification signal.

15 ~~26.~~ 23. "Person" means any individual, firm, partnership,  
16 corporation, association or other organization.

17 ~~27.~~ 24. "Principal" means an individual who is an officer of the  
18 corporation or is designated by a firm as having full authority and  
19 responsible charge of the services offered by the firm.

20 ~~28.~~ 25. "Proprietor alarm" means any alarm or alarm system that is  
21 owned by an alarm subscriber who has not contracted with an alarm  
22 business.

23 ~~29.~~ 26. "Registrant" means a person registered or certified by the  
24 board.

25 ~~30.~~ 27. "Registration" means a registration or certification  
26 issued by the board.

27 Sec. 3. Section 32-106, Arizona Revised Statutes, is amended to  
28 read:

29 32-106. Powers and duties

30 A. The board shall:

31 1. Adopt rules for the conduct of its meetings and performance of  
32 duties imposed on it by law.

33 2. Adopt an official seal for attestation of certificates of  
34 registration and other official papers and documents.

35 3. Consider and act on or delegate the authority to act on  
36 applications for registration or certification.

37 4. Conduct examinations for in-training DESIGNATIONS and  
38 professional registration, except for an alarm business, a controlling  
39 person or an alarm agent.

40 5. Hear and act on complaints or charges or direct an  
41 administrative law judge to hear and act on complaints and charges.

42 6. Compel attendance of witnesses, administer oaths and take  
43 testimony concerning all matters coming within its jurisdiction. In  
44 exercising these powers, the board may issue subpoenas for the attendance

1 of witnesses and the production of books, records, documents and other  
2 evidence it deems relevant to an investigation or hearing.

3 7. Keep a record of its proceedings.

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

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

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

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

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

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

42 F. The board may adopt rules establishing rules of professional  
43 conduct for registrants.



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

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

6 I. The board shall issue or may authorize the executive director to  
7 issue a certificate or renewal certificate to each alarm business and each  
8 controlling person and a certification or renewal certification card to  
9 each alarm agent if the qualifications prescribed by this chapter are met.

10 Sec. 4. Section 32-122, Arizona Revised Statutes, as amended by  
11 Laws 2016, chapter 167, section 5, is amended to read:

12 32-122. Qualifications for in-training designation

13 A. An applicant for in-training designation as an engineer,  
14 geologist or land surveyor shall:

15 1. Be of good moral character and repute.

16 2. Be a graduate of a school approved by the board or have four  
17 years or more of education or experience, or both, in work in the  
18 profession in which registration is sought that meets standards specified  
19 by the board in its rules.

20 3. Unless exempt under section 32-126, subsection ~~D~~ E, pass the  
21 ~~in-training~~ APPLICABLE NATIONAL FUNDAMENTALS examination in the profession  
22 in which ~~registration~~ THE DESIGNATION is sought.

23 ~~B. An applicant for in-training designation as an assayer shall:~~

24 ~~1. Be of good moral character and repute.~~

25 ~~2. Be a graduate of a school and curriculum approved by the board~~  
26 ~~or have four years or more of education or experience, or both, in work in~~  
27 ~~the profession in which registration is sought that meets standards~~  
28 ~~specified by the board in its rules.~~

29 ~~3. Unless exempt under section 32-126, subsection D, pass the~~  
30 ~~in-training examination in the profession in which registration is sought.~~

31 B. IN ADDITION TO THE QUALIFICATIONS PRESCRIBED IN SUBSECTION A OF  
32 THIS SECTION:

33 1. AN APPLICANT FOR IN-TRAINING DESIGNATION AS AN ENGINEER SHALL  
34 BOTH:

35 (a) BE A GRADUATE IN AN APPROVED ENGINEERING CURRICULUM OF FOUR  
36 YEARS OR MORE OF A SCHOOL APPROVED BY THE BOARD OR HAVE FOUR YEARS OR MORE  
37 OF EDUCATION OR EXPERIENCE, OR BOTH, IN ENGINEERING WORK THAT MEETS  
38 STANDARDS SPECIFIED BY THE BOARD IN ITS RULES.

39 (b) HAVE PASSED THE NATIONAL FUNDAMENTALS OF ENGINEERING  
40 EXAMINATION.

41 2. AN APPLICANT FOR IN-TRAINING DESIGNATION AS A GEOLOGIST SHALL  
42 BOTH:

43 (a) BE A GRADUATE OF A SCHOOL APPROVED BY THE BOARD OR HAVE FOUR  
44 YEARS OR MORE OF EDUCATION OR EXPERIENCE, OR BOTH, IN GEOLOGICAL WORK THAT  
45 MEETS STANDARDS SPECIFIED BY THE BOARD IN ITS RULES.

1 (b) HAVE PASSED THE NATIONAL FUNDAMENTALS OF GEOLOGY EXAMINATION.  
2 3. AN APPLICANT FOR IN-TRAINING DESIGNATION AS A LAND SURVEYOR  
3 SHALL BOTH:

4 (a) BE A GRADUATE OF A SCHOOL AND CURRICULUM APPROVED BY THE BOARD  
5 OR HAVE FOUR YEARS OR MORE OF EDUCATION OR EXPERIENCE, OR BOTH, IN LAND  
6 SURVEYING WORK THAT MEETS STANDARDS SPECIFIED BY THE BOARD IN ITS RULES.

7 (b) HAVE PASSED THE NATIONAL FUNDAMENTALS OF LAND SURVEYING  
8 EXAMINATION.

9 Sec. 5. Repeal

10 Section 32-122, Arizona Revised Statutes, as amended by Laws 2016,  
11 chapter 352, section 9 and chapter 371, section 11, is repealed.

12 Sec. 6. Section 32-122.01, Arizona Revised Statutes, is amended to  
13 read:

14 32-122.01. Qualifications for professional registration

15 A. An applicant for professional registration as an architect,  
16 engineer, geologist or landscape architect shall:

17 1. Be of good moral character and repute.

18 2. Be actively engaged in education or experience, or both, in the  
19 profession for which registration is sought for at least eight years.

20 3. Unless exempt under section 32-126, pass the applicable  
21 ~~in-training~~ NATIONAL FUNDAMENTALS and professional examinations in the  
22 profession in which registration is sought.

23 B. An applicant for professional registration as a land surveyor  
24 shall:

25 1. Be of good moral character and repute.

26 2. Be actively engaged in education or experience, or both, in the  
27 profession for which registration is sought for at least six years.

28 3. Unless exempt under section 32-126, pass the ~~in-training~~  
29 NATIONAL FUNDAMENTALS and professional examinations in the profession in  
30 which registration is sought.

31 4. PASS THE STATE-SPECIFIC EXAMINATION IN THIS STATE RELATING TO  
32 SURVEYING METHODS AND LEGAL PRINCIPLES IN THIS STATE.

33 C. In computing the period of active engagement required under this  
34 section:

35 1. Each year of study that is satisfactorily completed in an  
36 architectural, engineering, geological or landscape architectural school  
37 approved by the board is equivalent to one year of active engagement up to  
38 a maximum of five years. One year or more of teaching architectural,  
39 engineering, geological or landscape architectural subjects in a school  
40 approved by the board is equivalent to one year of active engagement.

41 2. Each year of study satisfactorily completed in a land surveying  
42 curriculum and school approved by the board is considered equivalent to  
43 one year of active engagement up to a maximum of four years. One year or  
44 more of teaching land surveying or other courses approved by the board as

1 pertinent to the profession in which registration is sought in a school  
2 approved by the board is equivalent to one year of active engagement.

3 D. Except as provided in subsection E of this section, experience  
4 credited by the board under this section and sections 32-101, 32-122 and  
5 32-126 must be attained under the direct supervision of a professional who  
6 is satisfactory to the board and registered in this state, another state  
7 or a foreign country in the profession in which the applicant is seeking  
8 registration, except that up to one year's experience may be attained  
9 under the direct supervision of a professional who is satisfactory to the  
10 board and registered in another profession regulated under this chapter in  
11 this state, another state or a foreign country.

12 E. By a two-thirds majority vote, the board may allow an applicant  
13 except for an architect applicant to meet the requirements of subsection D  
14 of this section by crediting comparable experience satisfactory to the  
15 board that the applicant attained without direct supervision of a  
16 registered professional.

17 Sec. 7. Section 32-126, Arizona Revised Statutes, is amended to  
18 read:

19 32-126. Exemptions from examination requirement

20 A. The board shall waive the examination requirement for an  
21 applicant, other than an applicant for professional registration as a land  
22 surveyor, **GEOLOGIST OR HOME INSPECTOR**, who satisfies ~~any one~~ **EITHER** of the  
23 following:

24 ~~1. Holds a valid certificate of registration in good standing~~  
25 ~~issued by another state or foreign country which has or had requirements~~  
26 ~~for registration substantially identical to those of this state.~~

27 ~~2.~~ 1. Holds a certificate of qualification in good standing issued  
28 by a **UNITED STATES** national ~~bureau~~ **COUNCIL** of registration or  
29 certification recognized by the board.

30 ~~3.~~ 2. Has been actively engaged in another state or ~~foreign~~  
31 ~~country~~ **A UNITED STATES TERRITORY** as a professional registrant in the  
32 profession in which registration is sought for at least ten years and  
33 holds a valid certificate of registration in good standing issued by that  
34 state or ~~country~~ **UNITED STATES TERRITORY**.

35 B. A registered professional engineer who holds a proficiency  
36 designation in one branch of engineering in this state and seeks an  
37 additional or different proficiency designation shall submit evidence to  
38 the board of ~~either:~~

39 ~~1. Four years of experience acceptable to the board as a registered~~  
40 ~~professional engineer practicing in that branch of engineering in which~~  
41 ~~the person seeks the proficiency designation.~~

42 ~~2. Successful completion of~~ **SUCCESSFULLY COMPLETING** the  
43 professional examination in the branch of engineering in which the  
44 applicant seeks the proficiency designation.

1 C. An applicant for professional registration as a land surveyor  
2 who satisfies ~~any one~~ EITHER of the requirements of subsection A ~~shall~~  
3 ~~pass~~ OF THIS SECTION MUST HAVE SUCCESSFULLY PASSED the part of the  
4 professional land surveyor examination relating to surveying methods and  
5 legal principles in this state prescribed by the board in its rules.

6 D. AN APPLICANT FOR PROFESSIONAL REGISTRATION AS A GEOLOGIST OR  
7 HOME INSPECTOR MUST HAVE SUCCESSFULLY PASSED THE APPLICABLE NATIONAL  
8 EXAMINATION REQUIRED FOR PROFESSIONAL PRACTICE.

9 ~~D.~~ E. The board shall exempt an applicant from the ~~in-training~~  
10 NATIONAL FUNDAMENTALS examination if the applicant is a graduate of a  
11 school and curriculum approved by the board and has been actively engaged  
12 in experience in the profession for which registration is sought for at  
13 least twelve years after graduation.

14 Sec. 8. Title 32, chapter 1, article 2, Arizona Revised Statutes,  
15 is amended by adding section 32-126.01, to read:

16 32-126.01. Registration or certification by endorsement;  
17 requirements; exceptions

18 A. EXCEPT AS PROVIDED IN SUBSECTIONS B, C AND E OF THIS SECTION,  
19 THE BOARD OR THE EXECUTIVE DIRECTOR SHALL GRANT REGISTRATION OR  
20 CERTIFICATION BY ENDORSEMENT TO AN APPLICANT FOR A BOARD-REGULATED  
21 PROFESSION OR OCCUPATION IF THE APPLICANT:

22 1. SUBMITS A COMPLETE APPLICATION.

23 2. PAYS ALL FEES REQUIRED BY THIS CHAPTER.

24 3. SATISFIES BOTH OF THE FOLLOWING:

25 (a) HOLDS A VALID REGISTRATION OR CERTIFICATION IN GOOD STANDING  
26 THAT BOTH:

27 (i) IS ISSUED BY ANOTHER STATE OR A UNITED STATES TERRITORY THAT  
28 HAS REGISTRATION OR CERTIFICATION REQUIREMENTS THAT ARE SUBSTANTIALLY  
29 EQUIVALENT TO OR GREATER THAN THE REQUIREMENTS OF THIS STATE.

30 (ii) DEMONSTRATES ACTIVE PRACTICE FOR AT LEAST FIVE YEARS IN THAT  
31 STATE OR TERRITORY AS A PROFESSIONAL REGISTRANT OR CERTIFICATION HOLDER IN  
32 THE PROFESSION IN WHICH REGISTRATION OR CERTIFICATION IS SOUGHT.

33 (b) VERIFIES HAVING REGISTRATION OR CERTIFICATION IN GOOD STANDING  
34 FOR ALL REGISTRATIONS OR CERTIFICATIONS HELD IN EACH STATE OR UNITED  
35 STATES TERRITORY OR HOLDS A CERTIFICATE OF QUALIFICATION IN GOOD STANDING  
36 ISSUED BY A UNITED STATES NATIONAL COUNCIL THAT IS RECOGNIZED BY THE  
37 BOARD.

38 B. BEFORE THE BOARD OR THE EXECUTIVE DIRECTOR GRANTS REGISTRATION  
39 BY ENDORSEMENT TO AN APPLICANT FOR PROFESSIONAL REGISTRATION AS A LAND  
40 SURVEYOR, THE APPLICANT MUST DO ALL OF THE FOLLOWING:

41 1. SUBMIT A COMPLETE APPLICATION.

42 2. PAY ALL FEES REQUIRED BY THIS CHAPTER.

43 3. SATISFY THE REQUIREMENTS IN SUBSECTION A, PARAGRAPH 3,  
44 SUBDIVISION (a) OR (b) OF THIS SECTION.

1 4. PASS THE STATE-SPECIFIC EXAMINATION IN THIS STATE RELATING TO  
2 SURVEYING METHODS AND LEGAL PRINCIPLES IN THIS STATE.

3 C. BEFORE THE BOARD OR THE EXECUTIVE DIRECTOR GRANTS CERTIFICATION  
4 BY ENDORSEMENT TO AN APPLICANT FOR CERTIFICATION AS A PROFESSIONAL HOME  
5 INSPECTOR, THE APPLICANT MUST DO ALL OF THE FOLLOWING:

- 6 1. SUBMIT A COMPLETE APPLICATION.
- 7 2. PAY ALL FEES REQUIRED BY THIS CHAPTER.
- 8 3. SATISFY THE REQUIREMENTS IN SECTION 32-122.02, SUBSECTION A.
- 9 4. PROVIDE THE BOARD WITH ALL OF THE FOLLOWING:

10 (a) ONE HOME INSPECTION REPORT THAT WAS COMPLETED DURING THE  
11 APPLICANT'S PERIOD OF LAWFUL CERTIFICATION AS A PROFESSIONAL HOME  
12 INSPECTOR IN THE APPLICANT'S ORIGINAL STATE OF CERTIFICATION THAT MEETS  
13 THE STANDARDS OF PROFESSIONAL PRACTICE IN THIS STATE.

14 (b) EVIDENCE OF HAVING COMPLETED FOUR HOURS OF EDUCATION ON POOL  
15 AND SPA INSPECTION.

16 (c) EVIDENCE OF HAVING A VALID FINGERPRINT CLEARANCE CARD ISSUED  
17 PURSUANT TO TITLE 41, CHAPTER 12, ARTICLE 3.1.

18 D. EXCEPT AS PROVIDED IN SUBSECTION E OF THIS SECTION, THE BOARD OR  
19 THE EXECUTIVE DIRECTOR MAY GRANT REGISTRATION OR CERTIFICATION BY  
20 ENDORSEMENT TO AN APPLICANT WHO HAS BEEN CONVICTED OF A FELONY OR A CRIME  
21 THAT IS REASONABLY RELATED TO THE PROFESSION FOR WHICH REGISTRATION OR  
22 CERTIFICATION IS SOUGHT IF THE APPLICANT SUCCESSFULLY DEMONSTRATES TO THE  
23 BOARD THE APPLICANT'S REHABILITATION, GOOD MORAL CHARACTER AND ABILITY TO  
24 PRACTICE THE PROFESSION SAFELY.

25 E. THE BOARD OR THE EXECUTIVE DIRECTOR MAY NOT GRANT REGISTRATION  
26 OR CERTIFICATION BY ENDORSEMENT TO ALARM AGENTS, ALARM BUSINESSES OR  
27 CONTROLLING PERSONS.

28 Sec. 9. Section 41-619.51, Arizona Revised Statutes, as amended by  
29 Laws 2018, chapter 46, section 3 and chapter 296, section 12, is amended  
30 to read:

31 41-619.51. Definitions

32 In this article, unless the context otherwise requires:

33 1. "Agency" means the supreme court, the department of economic  
34 security, the department of child safety, the department of education, the  
35 department of health services, the department of juvenile corrections, the  
36 department of emergency and military affairs, the department of public  
37 safety, the department of transportation, the state real estate  
38 department, the department of financial institutions, the Arizona game and  
39 fish department, THE ARIZONA DEPARTMENT OF AGRICULTURE, the board of  
40 examiners of nursing care institution administrators and assisted living  
41 facility managers, the state board of dental examiners, the Arizona state  
42 board of pharmacy or the board of physical therapy or the state board of  
43 technical registration.

44 2. "Board" means the board of fingerprinting.

1           3. "Central registry exception" means notification to the  
2 department of economic security, the department of child safety or the  
3 department of health services, as appropriate, pursuant to section  
4 41-619.57 that the person is not disqualified because of a central  
5 registry check conducted pursuant to section 8-804.

6           4. "Expedited review" means an examination, in accordance with  
7 board rule, of the documents an applicant submits by the board or its  
8 hearing officer without the applicant being present.

9           5. "Good cause exception" means the issuance of a fingerprint  
10 clearance card to an employee pursuant to section 41-619.55.

11           6. "Person" means a person who is required to be fingerprinted  
12 pursuant to this article or who is subject to a central registry check and  
13 any of the following:

- 14           (a) SECTION 3-314.
- 15           ~~(a)~~ (b) Section 8-105.
- 16           ~~(b)~~ (c) Section 8-322.
- 17           ~~(c)~~ (d) Section 8-463.
- 18           ~~(d)~~ (e) Section 8-509.
- 19           ~~(e)~~ (f) Section 8-802.
- 20           ~~(f)~~ (g) Section 8-804.
- 21           ~~(g)~~ (h) Section 15-183.
- 22           ~~(h)~~ (i) Section 15-503.
- 23           ~~(i)~~ (j) Section 15-512.
- 24           ~~(j)~~ (k) Section 15-534.
- 25           ~~(k)~~ (l) Section 15-763.01.
- 26           ~~(l)~~ (m) Section 15-782.02.
- 27           ~~(m)~~ (n) Section 15-1330.
- 28           ~~(n)~~ (o) Section 15-1881.
- 29           ~~(o)~~ (p) Section 17-215.
- 30           ~~(p)~~ (q) Section 28-3228.
- 31           ~~(q)~~ (r) Section 28-3413.
- 32           ~~(r)~~ (s) Section 32-122.02.
- 33           ~~(s)~~ (t) Section 32-122.05.
- 34           ~~(t)~~ (u) Section 32-122.06.
- 35           (v) SECTION 32-126.01.
- 36           ~~(u)~~ (w) Section 32-1232.
- 37           ~~(v)~~ (x) Section 32-1276.01.
- 38           ~~(w)~~ (y) Section 32-1284.
- 39           ~~(x)~~ (z) Section 32-1297.01.
- 40           ~~(y)~~ (aa) Section 32-1904.
- 41           ~~(z)~~ (bb) Section 32-1941.
- 42           ~~(aa)~~ (cc) Section 32-2022.
- 43           ~~(bb)~~ (dd) Section 32-2108.01.
- 44           ~~(cc)~~ (ee) Section 32-2123.
- 45           ~~(dd)~~ (ff) Section 32-2371.

- 1       ~~(ee)~~ (gg) Section 32-3620.
- 2       ~~(ff)~~ (hh) Section 32-3668.
- 3       ~~(gg)~~ (ii) Section 32-3669.
- 4       ~~(hh)~~ (jj) Section 36-207.
- 5       ~~(ii)~~ (kk) Section 36-411.
- 6       ~~(jj)~~ (ll) Section 36-425.03.
- 7       ~~(kk)~~ (mm) Section 36-446.04.
- 8       ~~(ll)~~ (nn) Section 36-594.01.
- 9       ~~(mm)~~ (oo) Section 36-594.02.
- 10      ~~(nn)~~ (pp) Section 36-882.
- 11      ~~(oo)~~ (qq) Section 36-883.02.
- 12      ~~(pp)~~ (rr) Section 36-897.01.
- 13      ~~(qq)~~ (ss) Section 36-897.03.
- 14      ~~(rr)~~ (tt) Section 36-3008.
- 15      ~~(ss)~~ (uu) Section 41-619.53.
- 16      ~~(tt)~~ (vv) Section 41-1964.
- 17      ~~(uu)~~ (ww) Section 41-1967.01.
- 18      ~~(vv)~~ (xx) Section 41-1968.
- 19      ~~(ww)~~ (yy) Section 41-1969.
- 20      ~~(xx)~~ (zz) Section 41-2814.
- 21      ~~(yy)~~ (aaa) Section 46-141, subsection A.
- 22      ~~(zz)~~ (bbb) Section 46-321.

23       Sec. 10. Repeal  
24       Section 41-619.51, Arizona Revised Statutes, as amended by Laws  
25       2018, chapter 287, section 3, is repealed.

26       Sec. 11. Section 41-1758, Arizona Revised Statutes, as amended by  
27       Laws 2018, chapter 46, section 4 and chapter 296, section 13, is amended  
28       to read:

29       41-1758. Definitions

30       In this article, unless the context otherwise requires:

31       1. "Agency" means the supreme court, the department of economic  
32       security, the department of child safety, the department of education, the  
33       department of health services, the department of juvenile corrections, the  
34       department of emergency and military affairs, the department of public  
35       safety, the department of transportation, the state real estate  
36       department, the department of financial institutions, the board of  
37       fingerprinting, the Arizona game and fish department, THE ARIZONA  
38       DEPARTMENT OF AGRICULTURE, the board of examiners of nursing care  
39       institution administrators and assisted living facility managers, the  
40       state board of dental examiners, the Arizona state board of pharmacy or  
41       the board of physical therapy or the state board of technical  
42       registration.

43       2. "Division" means the fingerprinting division in the department  
44       of public safety.

1           3. "Electronic or internet-based fingerprinting services" means a  
2 secure system for digitizing applicant fingerprints and transmitting the  
3 applicant data and fingerprints of a person or entity submitting  
4 fingerprints to the department of public safety for any authorized purpose  
5 under this title. For the purposes of this paragraph, "secure system"  
6 means a system that complies with the information technology security  
7 policy approved by the department of public safety.

8           4. "Good cause exception" means the issuance of a fingerprint  
9 clearance card to an applicant pursuant to section 41-619.55.

10          5. "Person" means a person who is required to be fingerprinted  
11 pursuant to any of the following:

- 12           (a) SECTION 3-314.
- 13           ~~(a)~~ (b) Section 8-105.
- 14           ~~(b)~~ (c) Section 8-322.
- 15           ~~(c)~~ (d) Section 8-463.
- 16           ~~(d)~~ (e) Section 8-509.
- 17           ~~(e)~~ (f) Section 8-802.
- 18           ~~(f)~~ (g) Section 15-183.
- 19           ~~(g)~~ (h) Section 15-503.
- 20           ~~(h)~~ (i) Section 15-512.
- 21           ~~(i)~~ (j) Section 15-534.
- 22           ~~(j)~~ (k) Section 15-763.01.
- 23           ~~(k)~~ (l) Section 15-782.02.
- 24           ~~(l)~~ (m) Section 15-1330.
- 25           ~~(m)~~ (n) Section 15-1881.
- 26           ~~(n)~~ (o) Section 17-215.
- 27           ~~(o)~~ (p) Section 28-3228.
- 28           ~~(p)~~ (q) Section 28-3413.
- 29           ~~(q)~~ (r) Section 32-122.02.
- 30           ~~(r)~~ (s) Section 32-122.05.
- 31           ~~(s)~~ (t) Section 32-122.06.
- 32           (u) SECTION 32-126.01.
- 33           ~~(t)~~ (v) Section 32-1232.
- 34           ~~(u)~~ (w) Section 32-1276.01.
- 35           ~~(v)~~ (x) Section 32-1284.
- 36           ~~(w)~~ (y) Section 32-1297.01.
- 37           ~~(x)~~ (z) Section 32-1904.
- 38           ~~(y)~~ (aa) Section 32-1941.
- 39           ~~(z)~~ (bb) Section 32-2022.
- 40           ~~(aa)~~ (cc) Section 32-2108.01.
- 41           ~~(bb)~~ (dd) Section 32-2123.
- 42           ~~(cc)~~ (ee) Section 32-2371.
- 43           ~~(dd)~~ (ff) Section 32-3620.



- 1       ~~(ee)~~ (gg) Section 32-3668.
- 2       ~~(ff)~~ (hh) Section 32-3669.
- 3       ~~(gg)~~ (ii) Section 36-207.
- 4       ~~(hh)~~ (jj) Section 36-411.
- 5       ~~(ii)~~ (kk) Section 36-425.03.
- 6       ~~(jj)~~ (ll) Section 36-446.04.
- 7       ~~(kk)~~ (mm) Section 36-594.01.
- 8       ~~(ll)~~ (nn) Section 36-594.02.
- 9       ~~(mm)~~ (oo) Section 36-882.
- 10      ~~(nn)~~ (pp) Section 36-883.02.
- 11      ~~(oo)~~ (qq) Section 36-897.01.
- 12      ~~(pp)~~ (rr) Section 36-897.03.
- 13      ~~(qq)~~ (ss) Section 36-3008.
- 14      ~~(rr)~~ (tt) Section 41-619.52.
- 15      ~~(ss)~~ (uu) Section 41-619.53.
- 16      ~~(tt)~~ (vv) Section 41-1964.
- 17      ~~(uu)~~ (ww) Section 41-1967.01.
- 18      ~~(vv)~~ (xx) Section 41-1968.
- 19      ~~(ww)~~ (yy) Section 41-1969.
- 20      ~~(xx)~~ (zz) Section 41-2814.
- 21      ~~(yy)~~ (aaa) Section 46-141, subsection A.
- 22      ~~(zz)~~ (bbb) Section 46-321.

23       6. "Vulnerable adult" has the same meaning prescribed in section  
24 13-3623.

25       Sec. 12. Repeal

26       Section 41-1758, Arizona Revised Statutes, as amended by Laws 2018,  
27 chapter 287, section 4, is repealed.

28       Sec. 13. Section 41-1758.01, Arizona Revised Statutes, as amended  
29 by Laws 2018, chapter 46, section 5 and chapter 296, section 14, is  
30 amended to read:

31       41-1758.01. Fingerprinting division; powers and duties

32       A. The fingerprinting division is established in the department of  
33 public safety and shall:

34       1. Conduct fingerprint background checks for persons and applicants  
35 who are seeking licenses from state agencies, employment with licensees,  
36 contract providers and state agencies or employment or educational  
37 opportunities with agencies that require fingerprint background checks  
38 pursuant to sections 3-314, 8-105, 8-322, 8-463, 8-509, 8-802, 15-183,  
39 15-503, 15-512, 15-534, 15-763.01, 15-782.02, 15-1330, 15-1881, 17-215,  
40 28-3228, 28-3413, 32-122.02, 32-122.05, 32-122.06, 32-126.01, 32-1232,  
41 32-1276.01, 32-1284, 32-1297.01, 32-1904, 32-1941, 32-2022, 32-2108.01,  
42 32-2123, 32-2371, 32-3620, 32-3668, 32-3669, 36-207, 36-411, 36-425.03,  
43 36-446.04, 36-594.01, 36-594.02, 36-882, 36-883.02, 36-897.01, 36-897.03,  
44 36-3008, 41-619.52, 41-619.53, 41-1964, 41-1967.01, 41-1968, 41-1969 and  
45 41-2814, section 46-141, subsection A and section 46-321.

1           2. Issue fingerprint clearance cards. On issuance, a fingerprint  
2 clearance card becomes the personal property of the cardholder and the  
3 cardholder shall retain possession of the fingerprint clearance card.

4           3. On submission of an application for a fingerprint clearance  
5 card, collect the fees established by the board of fingerprinting pursuant  
6 to section 41-619.53 and deposit, pursuant to sections 35-146 and 35-147,  
7 the monies collected in the board of fingerprinting fund.

8           4. Inform in writing each person who submits fingerprints for a  
9 fingerprint background check of the right to petition the board of  
10 fingerprinting for a good cause exception pursuant to section 41-1758.03,  
11 41-1758.04 or 41-1758.07.

12           5. If after conducting a state and federal criminal history records  
13 check the division determines that it is not authorized to issue a  
14 fingerprint clearance card to a person, inform the person in writing that  
15 the division is not authorized to issue a fingerprint clearance card. The  
16 notice shall include the criminal history information on which the denial  
17 was based. This criminal history information is subject to dissemination  
18 restrictions pursuant to section 41-1750 and Public Law 92-544.

19           6. Notify the person in writing if the division suspends, revokes  
20 or places a driving restriction notation on a fingerprint clearance card  
21 pursuant to section 41-1758.04. The notice shall include the criminal  
22 history information on which the suspension, revocation or placement of  
23 the driving restriction notation was based. This criminal history  
24 information is subject to dissemination restrictions pursuant to section  
25 41-1750 and Public Law 92-544.

26           7. Administer and enforce this article.

27           B. The fingerprinting division may contract for electronic or  
28 internet-based fingerprinting services through an entity or entities for  
29 the acquisition and transmission of applicant fingerprint and data  
30 submissions to the department, including identity verified fingerprints  
31 pursuant to section 15-106. The entity or entities contracted by the  
32 department of public safety may charge the applicant a fee for services  
33 provided pursuant to this article. The entity or entities contracted by  
34 the department of public safety shall comply with:

35           1. All information privacy and security measures and submission  
36 standards established by the department of public safety.

37           2. The information technology security policy approved by the  
38 department of public safety.

39           Sec. 14. Repeal

40           Section 41-1758.01, Arizona Revised Statutes, as amended by Laws  
41 2018, chapter 287, section 5, is repealed.

1           Sec. 15. Effective date  
2           The following sections are effective from and after August 3, 2019:  
3           1. Section 41-619.51, Arizona Revised Statutes, as amended by Laws  
4 2018, chapter 46, section 3 and chapter 296, section 12 and this act.  
5           2. Section 41-619.51, Arizona Revised Statutes, as amended by Laws  
6 2018, chapter 287, section 3 and repealed by this act.  
7           3. Section 41-1758, Arizona Revised Statutes, as amended by Laws  
8 2018, chapter 46, section 4 and chapter 296, section 13 and this act.  
9           4. Section 41-1758, Arizona Revised Statutes, as amended by Laws  
10 2018, chapter 287, section 4 and repealed by this act.  
11           5. Section 41-1758.01, Arizona Revised Statutes, as amended by Laws  
12 2018, chapter 46, section 5 and chapter 296, section 14 and this act.  
13           6. Section 41-1758.01, Arizona Revised Statutes, as amended by Laws  
14 2018, chapter 287, section 5 and repealed by this act.