



# ARIZONA HOUSE OF REPRESENTATIVES

## **HB 2521: carrying of firearms; constables**

**PRIME SPONSOR:** Representative Roberts, LD 11

**BILL STATUS:** [Caucus & COW](#)

PS: DPA 4-3-0-0

### **Overview**

Specifies that constables may not be prohibited from carrying firearms, with exceptions.

### **History**

Constables attend courts of Justices of the Peace within their precincts and execute, serve and return all processes, warrants and notices delivered to them by a Justice of the Peace or competent authority ([A.R.S. § 22-131](#)).

The Arizona Peace Officer Standards and Training Board (AZPOST) approves a mandatory basic training program for constables that covers topics including civil and criminal process, conflict resolution and firearm safety for newly elected constables. Following this training, constables must attend an additional 16 hours of AZPOST-approved training annually ([A.R.S. § 22-137](#)).

A peace officer or retired peace officer may not be prohibited from carrying a firearm, except for in certain statutorily outlined instances, including when: 1) in a jail, correctional facility or juvenile correctional facility; 2) in a secured police facility; or 3) where prohibited by federal law. If a peace officer is employed as a law enforcement officer, the peace officer must be in compliance with AZPOST firearm requirements ([A.R.S. § 38-1113](#)).

### **Provisions**

1. Includes on or off-duty constables in the definition of peace officers, thus specifying that constables may not be prohibited from carrying a firearm, except for in certain statutorily outlined instances. (Sec. 1)
2. Specifies that to meet the definition of a peace officer, a constable must either:
  - a. Be certified by AZPOST; or
  - b. Complete firearms training, undergo a psychological examination and either have a concealed carry weapon permit or complete an AZPOST-approved background check. (Sec. 1)

### **Amendments**

Committee on Public Safety

1. Modifies the requirements for a constable to meet the definition of peace officer by:
  - a. Specifying that the firearms training must be AZPOST-approved; and
  - b. Requiring constables to maintain annual firearm proficiency.
2. Requires copies of all certificates of completion, permits and proficiency records be forwarded to the Constable Ethics Standards and Training Board within 30 days of completion.

Prop 105 (45 votes)     Prop 108 (40 votes)     Emergency (40 votes)     Fiscal Note