AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-120.01; RELATING TO SCHOOL SAFETY.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 15, chapter 1, article 1, Arizona Revised Statutes, is amended by adding section 15-120.01, to read:

15-120.01. School marshals; training; licensure; transportation and storage of firearms and ammunition; confidentiality

A. NOTWITHSTANDING ANY OTHER LAW AND EXCEPT AS PROVIDED IN SUBSECTION B OF THIS SECTION, A SCHOOL MARSHAL MAY:

1. MAKE ARRESTS AND EXERCISE ALL AUTHORITY GRANTED TO PEACE OFFICERS UNDER THE LAWS OF THIS STATE, SUBJECT TO WRITTEN POLICIES ADOPTED BY EITHER:
   (a) A SCHOOL DISTRICT GOVERNING BOARD OR A CHARTER SCHOOL GOVERNING BODY.
   (b) A PRIVATE SCHOOL THAT PROVIDES INSTRUCTION IN ANY COMBINATION OF KINDERGARTEN PROGRAMS AND GRADES ONE THROUGH TWELVE.
   (c) A COMMUNITY COLLEGE DISTRICT GOVERNING BOARD.

2. ACT ONLY AS NECESSARY TO PREVENT OR ABATE THE COMMISSION OF AN OFFENSE THAT THREATENS SERIOUS BODILY INJURY TO OR DEATH OF A STUDENT, FACULTY MEMBER OR VISITOR ON THE CAMPUS OF A SCHOOL, CHARTER SCHOOL OR COMMUNITY COLLEGE.

B. A SCHOOL MARSHAL MAY NOT ISSUE TRAFFIC CITATIONS.

C. A SCHOOL MARSHAL IS NOT ENTITLED TO THE EMPLOYMENT BENEFITS THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE PROVIDES TO A PEACE OFFICER.

D. A PERSON MAY NOT SERVE AS A SCHOOL MARSHAL UNLESS THE PERSON IS BOTH:

1. LICENSED AS A SCHOOL MARSHAL BY THE DEPARTMENT OF PUBLIC SAFETY.
2. APPOINTED BY EITHER:
   (a) A SCHOOL DISTRICT GOVERNING BOARD OR A CHARTER SCHOOL GOVERNING BODY.
   (b) A PRIVATE SCHOOL THAT PROVIDES INSTRUCTION IN ANY COMBINATION OF KINDERGARTEN PROGRAMS AND GRADES ONE THROUGH TWELVE.
   (c) A COMMUNITY COLLEGE DISTRICT GOVERNING BOARD.

E. A SCHOOL DISTRICT GOVERNING BOARD, A CHARTER SCHOOL GOVERNING BODY, A COMMUNITY COLLEGE DISTRICT GOVERNING BOARD OR A PRIVATE SCHOOL MAY:

1. APPOINT NOT MORE THAN THE GREATER OF:
   (a) ONE SCHOOL MARSHAL FOR EACH FOUR HUNDRED STUDENTS PER CAMPUS.
   (b) FOR EACH CAMPUS, ONE SCHOOL MARSHAL FOR EACH SCHOOL BUILDING IN WHICH STUDENTS REGULARLY RECEIVE CLASSROOM INSTRUCTION.

2. APPOINT AN EMPLOYEE OF THE SCHOOL DISTRICT, CHARTER SCHOOL, COMMUNITY COLLEGE DISTRICT OR PRIVATE SCHOOL, AS APPLICABLE, AS SCHOOL MARSHAL IF THE EMPLOYEE MEETS THE REQUIREMENTS FOR LICENSURE AS A SCHOOL MARSHAL. THE SCHOOL DISTRICT GOVERNING BOARD, CHARTER SCHOOL GOVERNING BODY, COMMUNITY COLLEGE DISTRICT GOVERNING BOARD OR PRIVATE SCHOOL MAY
REIMBURSE THE EMPLOYEE FOR THE AMOUNT THE EMPLOYEE PAYS TO PARTICIPATE IN THE TRAINING PROGRAM UNDER THIS SECTION.

F. A SCHOOL MARSHAL MAY CARRY OR POSSESS A HANDGUN ON THE PREMISES OF A SCHOOL ONLY AT A SPECIFIC SCHOOL AND IN THE MANNER PROVIDED BY WRITTEN POLICIES ADOPTED BY THE SCHOOL DISTRICT GOVERNING BOARD, CHARTER SCHOOL GOVERNING BODY, COMMUNITY COLLEGE DISTRICT GOVERNING BOARD OR PRIVATE SCHOOL, AS APPLICABLE. THE WRITTEN POLICIES MUST PROVIDE THAT A SCHOOL MARSHAL MAY CARRY A CONCEALED HANDGUN. IF THE PRIMARY DUTY OF THE SCHOOL MARSHAL INVOLVES REGULAR, DIRECT CONTACT WITH STUDENTS, THE WRITTEN POLICIES MUST PROHIBIT THE SCHOOL MARSHAL FROM CARRYING A CONCEALED HANDGUN BUT MAY ALLOW THE SCHOOL MARSHAL TO STORE A HANDGUN ON THE PREMISES OF THE SCHOOL IN A LOCKED AND SECURED SAFE WITHIN THE SCHOOL MARSHAL'S IMMEDIATE REACH WHEN CONDUCTING THE SCHOOL MARSHAL'S PRIMARY DUTY. THE WRITTEN POLICIES MUST ALSO REQUIRE THAT A HANDGUN CARRIED BY OR WITHIN ACCESS OF A SCHOOL MARSHAL BE LOADED WITH FRANGIBLE DUTY AMMUNITION.

G. A SCHOOL MARSHAL MAY ACCESS A HANDGUN PURSUANT TO THIS SECTION ONLY UNDER CIRCUMSTANCES THAT WOULD JUSTIFY THE USE OF DEADLY FORCE PURSUANT TO TITLE 13, CHAPTER 4.

H. A SCHOOL DISTRICT, CHARTER SCHOOL, COMMUNITY COLLEGE DISTRICT OR PRIVATE SCHOOL EMPLOYEE'S STATUS AS SCHOOL MARSHAL BECOMES INACTIVE IF ANY OF THE FOLLOWING OCCURS:

1. THE EMPLOYEE'S PERMIT ISSUED PURSUANT TO SECTION 13-3112 IS SUSPENDED OR REVOKED.

2. THE EMPLOYEE TERMINATES EMPLOYMENT WITH THE SCHOOL DISTRICT, CHARTER SCHOOL, COMMUNITY COLLEGE DISTRICT OR PRIVATE SCHOOL.

3. THE SCHOOL DISTRICT GOVERNING BOARD, CHARTER SCHOOL GOVERNING BODY, COMMUNITY COLLEGE DISTRICT GOVERNING BOARD OR PRIVATE SCHOOL NOTIFIES THE EMPLOYEE THAT THE EMPLOYEE'S SERVICES AS SCHOOL MARSHAL ARE NO LONGER REQUIRED.


J. IF THE PARENT OR GUARDIAN OF A STUDENT WHO IS ENROLLED IN A SCHOOL DISTRICT, CHARTER SCHOOL, COMMUNITY COLLEGE DISTRICT OR PRIVATE SCHOOL INQUIRES IN WRITING, THE SCHOOL DISTRICT, CHARTER SCHOOL, COMMUNITY COLLEGE DISTRICT OR PRIVATE SCHOOL SHALL PROVIDE THE PARENT OR GUARDIAN WRITTEN NOTICE INDICATING WHETHER AN EMPLOYEE IS CURRENTLY APPOINTED AS SCHOOL MARSHAL AT THAT SCHOOL, SCHOOL DISTRICTS OR COMMUNITY COLLEGE. THE NOTICE MAY NOT DISCLOSE THE SCHOOL MARSHAL'S Identity.

K. A SCHOOL DISTRICT OR CHARTER SCHOOL MAY NOT PROHIBIT A PERSON, INCLUDING A SCHOOL EMPLOYEE, WHO HOLDS A PERMIT ISSUED PURSUANT TO SECTION 13-3112 FROM TRANSPORTING OR STORING A HANDGUN OR OTHER FIREARM OR AMMUNITION IN A LOCKED, PRIVATELY OWNED OR PRIVATELY LEASED MOTOR VEHICLE IN A PARKING LOT, PARKING GARAGE OR OTHER PARKING AREA PROVIDED BY THE SCHOOL DISTRICT OR CHARTER SCHOOL IF THE HANDGUN, FIREARM OR AMMUNITION IS
NOT IN PLAIN VIEW. THIS SUBSECTION DOES NOT AUTHORIZE A PERSON TO
POSSESS, TRANSPORT OR STORE A HANDGUN, A FIREARM OR AMMUNITION IN
VIOLATION OF SECTION 13-3102 OR 13-3112 OR ANY OTHER LAW.

L. THE DEPARTMENT OF PUBLIC SAFETY SHALL ESTABLISH AND MAINTAIN A
TRAINING PROGRAM THAT IS AVAILABLE TO ANY EMPLOYEE OF A SCHOOL DISTRICT,
CHARTER SCHOOL, COMMUNITY COLLEGE DISTRICT OR PRIVATE SCHOOL WHO HOLDS A
PERMIT TO CARRY A CONCEALED WEAPON ISSUED PURSUANT TO SECTION 13-3112.
THE DEPARTMENT SHALL ISSUE A SCHOOL MARSHAL LICENSE TO A PERSON WHO MEETS
THE REQUIREMENTS PRESCRIBED IN SUBSECTION Q OF THIS SECTION. ONLY THE
STAFF OF THE DEPARTMENT OF PUBLIC SAFETY OR A PROVIDER APPROVED BY THE
DEPARTMENT OF PUBLIC SAFETY MAY CONDUCT THE TRAINING.

M. THE DEPARTMENT OF PUBLIC SAFETY SHALL COLLECT FROM EACH PERSON
WHO PARTICIPATES IN THE TRAINING PROGRAM IDENTIFYING INFORMATION THAT
PERMIT ISSUED TO THE PERSON PURSUANT TO SECTION 13-3112 AND THE ADDRESS OF
THE PERSON'S PLACE OF EMPLOYMENT.

N. THE TRAINING PROGRAM SHALL INCLUDE EIGHTY HOURS OF INSTRUCTION
THAT IS DESIGNED TO:
1. EMPHASIZE STRATEGIES TO PREVENT SCHOOL SHOOTINGS AND SECURE THE
SAFETY OF POTENTIAL VICTIMS OF SCHOOL SHOOTINGS.
2. EDUCATE THE TRAINEE ABOUT LEGAL ISSUES RELATING TO THE DUTIES OF
SCHOOL MARSHALS AND THE USE OF FORCE OR DEADLY FORCE IN PROTECTING OTHERS.
3. INTRODUCE THE TRAINEE TO EFFECTIVE LAW ENFORCEMENT STRATEGIES
AND TECHNIQUES.
4. IMPROVE THE TRAINEE'S PROFICIENCY WITH A HANDGUN.
5. ENABLE THE TRAINEE TO RESPOND TO AN EMERGENCY SITUATION
REQUIRING DEADLY FORCE, SUCH AS A SITUATION INVOLVING AN ACTIVE SHOOTER.

O. THE DEPARTMENT OF PUBLIC SAFETY, IN CONSULTATION WITH
PSYCHOLOGISTS, SHALL DEVELOP AND ADMINISTER TO EACH PERSON WHO ENROLLS IN
A TRAINING PROGRAM A PSYCHOLOGICAL EXAMINATION TO DETERMINE WHETHER THE
TRAINEE IS PSYCHOLOGICALLY FIT TO CARRY OUT THE DUTIES OF A SCHOOL MARSHAL
IN AN EMERGENCY SITUATION OR SITUATION INVOLVING AN ACTIVE SHOOTER. THE
DEPARTMENT OF PUBLIC SAFETY MAY LICENSE A PERSON AS A SCHOOL MARSHAL ONLY
IF THE RESULTS OF THE PSYCHOLOGICAL EXAMINATION INDICATE THAT THE TRAINEE
IS PSYCHOLOGICALLY FIT TO CARRY OUT THOSE DUTIES.

P. THE DEPARTMENT OF PUBLIC SAFETY SHALL CHARGE THE FOLLOWING:
1. A TRAINING FEE.
2. A LICENSE FEE TO EACH PERSON WHO IS ISSUED A SCHOOL MARSHAL
LICENSE.
3. A RENEWAL FEE TO EACH PERSON WHO RENEWS A SCHOOL MARSHAL
LICENSE.

Q. THE DEPARTMENT OF PUBLIC SAFETY SHALL LICENSE A PERSON WHO IS
ELIGIBLE FOR APPOINTMENT AS A SCHOOL MARSHAL IF THE PERSON MEETS BOTH OF
THE FOLLOWING:
1. Completes training under this section to the satisfaction of Department of Public Safety staff.

2. Is determined by the Department of Public Safety to be psychologically fit to carry out the duties of a School Marshal as indicated by the results of the psychological examination administered under this section.

3. A person's School Marshal license expires on the first birthday of the person occurring after the second anniversary of the date the Department of Public Safety issues a license to that person. A renewed School Marshal license expires on that person's birthday that occurs two years after the expiration of the previous license.

4. To renew a School Marshal license, a person must do all of the following:
   1. Successfully complete a renewal course that is designed and administered by the Department of Public Safety and that does not exceed sixteen hours combined of classroom and simulation training.
   2. Demonstrate appropriate knowledge on an examination that is designed and administered by the Department of Public Safety.
   3. Demonstrate handgun proficiency to the satisfaction of Department of Public Safety staff.
   4. Demonstrate fitness on the psychological examination prescribed in this section.

5. The Department of Public Safety shall revoke a person's School Marshal license if the Department determines that the person's permit to carry a concealed weapon issued pursuant to Section 13-3112 has been suspended or revoked. A person whose School Marshal license is revoked may be relicensed if the person does all of the following:
   1. Provides proof to the Department of Public Safety that the person's concealed weapons permit has been reinstated.
   2. Reenrolls in the training program prescribed under this section and recompletes the training program to the satisfaction of Department of Public Safety staff.
   3. Pays the training program fee.
   4. Demonstrates psychological fitness on the psychological examination prescribed in this section to the satisfaction of Department of Public Safety staff.

6. The Department of Public Safety shall submit the identifying information collected under this section for each person who is licensed as a School Marshal to all of the following persons and entities:
   1. The person's employer, if the person is currently employed by a school district, charter school, community college district or private school.
   2. The chief law enforcement officer of the local municipal law enforcement agency if the person is employed by a school district, charter
SCHOOL, COMMUNITY COLLEGE DISTRICT OR PRIVATE SCHOOL ON A CAMPUS THAT IS LOCATED WITHIN THAT MUNICIPALITY.

3. THE COUNTY SHERIFF IF THE PERSON IS EMPLOYED BY A SCHOOL DISTRICT, CHARTER SCHOOL, COMMUNITY COLLEGE DISTRICT OR PRIVATE SCHOOL ON A CAMPUS THAT IS NOT LOCATED WITHIN A MUNICIPALITY.

4. THE CHIEF ADMINISTRATOR OF THE SCHOOL MARSHAL.

V. THE DEPARTMENT OF PUBLIC SAFETY SHALL IMMEDIATELY REPORT THE EXPIRATION, SUSPENSION OR REVOCATION OF A SCHOOL MARSHAL LICENSE TO THE PERSONS AND ENTITIES LISTED IN SUBSECTION U OF THIS SECTION.

W. ALL INFORMATION THAT IS COLLECTED OR SUBMITTED PURSUANT TO THIS SECTION IS CONFIDENTIAL AND, EXCEPT AS PROVIDED BY SUBSECTION U OF THIS SECTION, IS NOT A PUBLIC RECORD UNDER TITLE 39, CHAPTER 1.