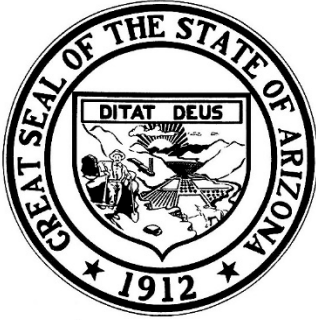


HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **SB 1020**

Márquez Floor Amendment

1. Requires the governing board of any university, college, or community college to enact or enforce any policy or rule that prohibits:
 - a. the possession of a concealed weapon by a person who possesses a valid concealed weapon permit; or
 - b. the transportation or storage of a firearm.
2. Adds to the violation of *misconduct involving weapons* a person knowingly carrying a deadly weapon without a CCW permit.
 - a. Stipulates exemptions.
 - b. Classifies as a class 1 misdemeanor a violation of this provision.
3. Removes current statute outlining the methods to demonstrate competence with a firearm for the purposes of obtaining a CCW permit.
4. Modifies the firearms training program requirements to issue a CCW permit.
 - a. Requires the training program to be authorized by the Department of Public Safety (DPS).
 - b. Requires the training program to provide adequate documentation that the authorized training program was satisfactorily completed.
 - i. Defines "adequate documentation."
5. Outlines the requirements for an organization to be authorized by DPS to provide firearms safety training.
 - a. Requires an organization to apply to DPS for authorization to provide firearms safety training.
 - b. Requires DPS to authorize an entity to provide firearms safety training if the training meets all of the following requirements:
 - i. Is at least eight hours in length.
 - ii. Is conducted on a pass or fail basis.
 - iii. Addresses all of the following topics in a format approved by the Director of DPS:
 1. Legal issues relating to the use of deadly force.
 2. Weapon care and maintenance.
 3. Mental conditioning for the use of deadly force.
 4. Safe handling and storage of weapons.
 5. Marksmanship.
 6. Judgmental shooting.

Amendment explanation prepared by SC

Phone Number 65848

sc

3/19/2025

MÁRQUEZ FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1020
(Reference to Senate engrossed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.
[Green underlining in brackets] indicates text added to new session law or text restoring existing law.
[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.
[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.
<<Green carets>> indicate a section added to the bill.
<<Green strikeout in carets>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 <<Section 1. Section 4-244, Arizona Revised Statutes, is amended to
3 read:

4 4-244. Unlawful acts: definition

5 It is unlawful:

6 1. For a person to buy for resale, sell or deal in spirituous
7 liquors in this state without first having procured a license duly issued
8 by the board, except that the director may issue a temporary permit of any
9 series pursuant to section 4-205.05 to a trustee in bankruptcy to acquire
10 and dispose of the spirituous liquor of a debtor.

11 2. For a person to sell or deal in alcohol for beverage purposes
12 without first complying with this title.

13 3. For a distiller, vintner, brewer or wholesaler knowingly to
14 sell, dispose of or give spirituous liquor to any person other than a
15 licensee except in sampling wares as may be necessary in the ordinary
16 course of business, except in donating spirituous liquor to a nonprofit
17 organization that has obtained a special event license for the purpose of
18 charitable fundraising activities or except in donating spirituous liquor
19 with a cost to the distiller, brewer or wholesaler of up to \$500 in a
20 calendar year to an organization that is exempt from federal income taxes
21 under section 501(c) (3), (4), (6) or (7) of the internal revenue code and
22 not licensed under this title.

23 4. For a distiller, vintner or brewer to require a wholesaler to
24 offer or grant a discount to a retailer, unless the discount has also been
25 offered and granted to the wholesaler by the distiller, vintner or brewer.

26 5. For a distiller, vintner or brewer to use a vehicle for trucking
27 or transporting spirituous liquors unless there is affixed to both sides
28 of the vehicle a sign showing the name and address of the licensee and the

1 type and number of the person's license in letters not less than three and
2 one-half inches in height.

3 6. For a person to take or solicit orders for spirituous liquors
4 unless the person is a salesman or solicitor of a licensed wholesaler, a
5 salesman or solicitor of a distiller, brewer, vintner, importer or broker
6 or a registered retail agent.

7 7. For any retail licensee to purchase spirituous liquors from any
8 person other than a solicitor or salesman of a wholesaler licensed in this
9 state.

10 8. For a retailer to acquire an interest in property owned,
11 occupied or used by a wholesaler in the wholesaler's business, or in a
12 license with respect to the premises of the wholesaler.

13 9. Except as provided in paragraphs 10 and 11 of this section, for
14 a licensee or other person to sell, furnish, dispose of or give, or cause
15 to be sold, furnished, disposed of or given, to a person under the legal
16 drinking age or for a person under the legal drinking age to buy, receive,
17 have in the person's possession or consume spirituous liquor. This
18 paragraph does not prohibit the employment by an off-sale retailer of
19 persons who are at least sixteen years of age to check out, if supervised
20 by a person on the premises who is at least eighteen years of age, package
21 or carry merchandise, including spirituous liquor, in unbroken packages,
22 for the convenience of the customer of the employer, if the employer sells
23 primarily merchandise other than spirituous liquor.

24 10. For a licensee to employ a person under eighteen years of age
25 to manufacture, sell or dispose of spirituous liquors. This paragraph
26 does not prohibit the employment by an off-sale retailer of persons who
27 are at least sixteen years of age to check out, if supervised by a person
28 on the premises who is at least eighteen years of age, package or carry
29 merchandise, including spirituous liquor, in unbroken packages, for the
30 convenience of the customer of the employer, if the employer sells
31 primarily merchandise other than spirituous liquor.

32 11. For an on-sale retailer to employ a person under eighteen years
33 of age in any capacity connected with the handling of spirituous liquors.
34 This paragraph does not prohibit the employment by an on-sale retailer of
35 a person under eighteen years of age who cleans up the tables on the
36 premises for reuse, removes dirty dishes, keeps a ready supply of needed
37 items and helps clean up the premises.

38 12. For a licensee, when engaged in waiting on or serving
39 customers, to consume spirituous liquor or for a licensee or on-duty
40 employee to be on or about the licensed premises while in an intoxicated
41 or disorderly condition.

42 13. For an employee of a retail licensee, during that employee's
43 working hours or in connection with such employment, to give to or
44 purchase for any other person, accept a gift of, purchase for the employee
45 or consume spirituous liquor, except that:

46 (a) An employee of a licensee, during that employee's working hours
47 or in connection with the employment, while the employee is not engaged in

1 waiting on or serving customers, may give spirituous liquor to or purchase
2 spirituous liquor for any other person.

3 (b) An employee of an on-sale retail licensee, during that
4 employee's working hours or in connection with the employment, while the
5 employee is not engaged in waiting on or serving customers, may taste
6 samples of beer or wine of not more than four ounces per day or distilled
7 spirits of not more than two ounces per day provided by an employee of a
8 wholesaler or distributor who is present at the time of the sampling.

9 (c) An employee of an on-sale retail licensee, under the
10 supervision of a manager as part of the employee's training and education,
11 while not engaged in waiting on or serving customers may taste samples of
12 distilled spirits of not more than two ounces per educational session or
13 beer or wine of not more than four ounces per educational session, and
14 provided that a licensee does not have more than two educational sessions
15 in any thirty-day period.

16 (d) An unpaid volunteer who is a bona fide member of a club and who
17 is not engaged in waiting on or serving spirituous liquor to customers may
18 purchase for himself and consume spirituous liquor while participating in
19 a scheduled event at the club. An unpaid participant in a food
20 competition may purchase for himself and consume spirituous liquor while
21 participating in the food competition.

22 (e) An unpaid volunteer of a special event licensee under section
23 4-203.02 may purchase and consume spirituous liquor while not engaged in
24 waiting on or serving spirituous liquor to customers at the special event.
25 This subdivision does not apply to an unpaid volunteer whose
26 responsibilities include verification of a person's legal drinking age,
27 security or the operation of any vehicle or heavy machinery.

28 (f) A representative of a producer or wholesaler participating at a
29 special event under section 4-203.02 may consume small amounts of the
30 products of the producer or wholesaler on the premises of the special
31 event for the purpose of quality control.

32 14. For a licensee or other person to serve, sell or furnish
33 spirituous liquor to a disorderly or obviously intoxicated person, or for
34 a licensee or employee of the licensee to allow a disorderly or obviously
35 intoxicated person to come into or remain on or about the premises, except
36 that a licensee or an employee of the licensee may allow an obviously
37 intoxicated person to remain on the premises for not more than thirty
38 minutes after the state of obvious intoxication is known or should be
39 known to the licensee for a nonintoxicated person to transport the
40 obviously intoxicated person from the premises. For the purposes of this
41 section, "obviously intoxicated" means inebriated to the extent that a
42 person's physical faculties are substantially impaired and the impairment
43 is shown by significantly uncoordinated physical action or significant
44 physical dysfunction that would have been obvious to a reasonable person.

45 15. For an on-sale or off-sale retailer or an employee of such
46 retailer or an alcohol delivery contractor to sell, dispose of, deliver or

1 give spirituous liquor to a person between the hours of 2:00 a.m. and
2 6:00 a.m., except that:

3 (a) A retailer with off-sale privileges may receive and process
4 orders, accept payment or package, load or otherwise prepare spirituous
5 liquor for delivery at any time, if the actual deliveries to customers are
6 made between the hours of 6:00 a.m. and 2:00 a.m., at which time section
7 4-241, subsections A and K apply.

8 (b) The governor, in consultation with the governor's office of
9 highway safety and the public safety community in this state, may issue an
10 executive order that extends the closing time until 3:00 a.m. for
11 spirituous liquor sales in connection with a professional or collegiate
12 national sporting championship event held in this state.

13 16. For a licensee or employee to knowingly allow any person on or
14 about the licensed premises to give or furnish any spirituous liquor to
15 any person under twenty-one years of age or knowingly allow any person
16 under twenty-one years of age to have in the person's possession
17 spirituous liquor on the licensed premises.

18 17. For an on-sale retailer or an employee of such retailer to
19 allow a person to consume or possess spirituous liquors on the premises
20 between the hours of 2:30 a.m. and 6:00 a.m., except that if the governor
21 extends the closing time for a day for spirituous liquor sales pursuant to
22 paragraph 15 of this section it is unlawful for an on-sale retailer or an
23 employee of such retailer on that day to allow a person to consume or
24 possess spirituous liquor on the premises between the hours of 3:30 a.m.
25 and 6:00 a.m.

26 18. For an on-sale retailer to allow an employee or for an employee
27 to solicit or encourage others, directly or indirectly, to buy the
28 employee drinks or anything of value in the licensed premises during the
29 employee's working hours. An on-sale retailer shall not serve employees
30 or allow a patron of the establishment to give spirituous liquor to,
31 purchase liquor for or drink liquor with any employee during the
32 employee's working hours.

33 19. For an off-sale retailer or employee to sell spirituous liquor
34 except in the original unbroken container, to allow spirituous liquor to
35 be consumed on the premises or to knowingly allow spirituous liquor to be
36 consumed on adjacent property under the licensee's exclusive control.

37 20. For a person to consume spirituous liquor in a public place,
38 thoroughfare or gathering. The license of a licensee allowing a violation
39 of this paragraph on the premises shall be subject to revocation. This
40 paragraph does not apply to the sale of spirituous liquors on the premises
41 of and by an on-sale retailer. This paragraph also does not apply to a
42 person consuming beer or wine from a broken package in a public recreation
43 area or on private property with permission of the owner or lessor or on
44 the walkways surrounding such private property or to a person consuming
45 beer or wine from a broken package in a public recreation area as part of
46 a special event or festival that is conducted under a license secured
47 pursuant to section 4-203.02 or 4-203.03.

1 21. For a person to possess or to transport spirituous liquor that
2 is manufactured in a distillery, winery, brewery or rectifying plant
3 contrary to the laws of the United States and this state. Any property
4 used in transporting such spirituous liquor shall be forfeited to the
5 state and shall be seized and disposed of as provided in section 4-221.

6 22. For an on-sale retailer or employee to allow a person under the
7 legal drinking age to remain in an area on the licensed premises during
8 those hours in which its primary use is the sale, dispensing or
9 consumption of alcoholic beverages after the licensee, or the licensee's
10 employees, know or should have known that the person is under the legal
11 drinking age. An on-sale retailer may designate an area of the licensed
12 premises as an area in which spirituous liquor will not be sold or
13 consumed for the purpose of allowing underage persons on the premises if
14 the designated area is separated by a physical barrier and at no time will
15 underage persons have access to the area in which spirituous liquor is
16 sold or consumed. A licensee or an employee of a licensee may require a
17 person who intends to enter a licensed premises or a portion of a licensed
18 premises where persons under the legal drinking age are prohibited under
19 this section to exhibit an instrument of identification that is acceptable
20 under section 4-241 as a condition of entry or may use a biometric
21 identity verification device to determine the person's age as a condition
22 of entry. The director, or a municipality, may adopt rules to regulate
23 the presence of underage persons on licensed premises provided the rules
24 adopted by a municipality are more stringent than those adopted by the
25 director. The rules adopted by the municipality shall be adopted by local
26 ordinance and shall not interfere with the licensee's ability to comply
27 with this paragraph. This paragraph does not apply:

28 (a) If the person under the legal drinking age is accompanied by a
29 spouse, parent, grandparent or legal guardian of legal drinking age or is
30 an on-duty employee of the licensee.

31 (b) If the owner, lessee or occupant of the premises is a club as
32 defined in section 4-101, paragraph 8, subdivision (a) and the person
33 under the legal drinking age is any of the following:

34 (i) An active duty military service member.

35 (ii) A veteran.

36 (iii) A member of the United States army national guard or the
37 United States air national guard.

38 (iv) A member of the United States military reserve forces.

39 (c) To the area of the premises used primarily for serving food
40 during the hours when food is served.

41 23. For an on-sale retailer or employee to conduct drinking
42 contests, to sell or deliver to a person an unlimited number of spirituous
43 liquor beverages during any set period of time for a fixed price, to
44 deliver more than fifty ounces of beer, one liter of wine or four ounces
45 of distilled spirits in any spirituous liquor drink to one person at one
46 time for that person's consumption or to advertise any practice prohibited
47 by this paragraph. This paragraph does not prohibit an on-sale retailer

1 or employee from selling and delivering an opened, original container of
2 distilled spirits if:

3 (a) Service or pouring of the spirituous liquor is provided by an
4 employee of the on-sale retailer. A licensee shall not be charged for a
5 violation of this paragraph if a customer, without the knowledge of the
6 retailer, removes or tampers with a locking device on a bottle delivered
7 to the customer for bottle service and the customer pours the customer's
8 own drink from the bottle, if when the licensee becomes aware of the
9 removal or tampering of the locking device the licensee immediately
10 installs a functioning locking device on the bottle or removes the bottle
11 and lock from bottle service.

12 (b) The employee of the on-sale retailer monitors consumption to
13 ensure compliance with this paragraph. Locking devices may be used, but
14 are not required.

15 24. For a licensee or employee to knowingly allow the unlawful
16 possession, use, sale or offer for sale of narcotics, dangerous drugs or
17 marijuana on the premises. For the purposes of this paragraph, "dangerous
18 drug" has the same meaning prescribed in section 13-3401.

19 25. For a licensee or employee to knowingly allow prostitution or
20 the solicitation of prostitution on the premises.

21 26. For a licensee or employee to knowingly allow unlawful gambling
22 on the premises.

23 27. For a licensee or employee to knowingly allow trafficking or
24 attempted trafficking in stolen property on the premises.

25 28. For a licensee or employee to fail or refuse to make the
26 premises or records available for inspection and examination as provided
27 in this title or to comply with a lawful subpoena issued under this title.

28 29. For any person other than a peace officer while on duty or off
29 duty or a member of a sheriff's volunteer posse while on duty who has
30 received firearms training that is approved by the Arizona peace officer
31 standards and training board, a retired peace officer as defined in
32 section 38-1113 or an honorably retired law enforcement officer who has
33 been issued a certificate of firearms proficiency pursuant to section
34 13-3112, subsection ~~[F]~~ [V], the licensee or an employee of the licensee
35 acting with the permission of the licensee to be in possession of a
36 firearm while on the licensed premises of an on-sale retailer. This
37 paragraph does not include a situation in which a person is on licensed
38 premises for a limited time in order to seek emergency aid and such person
39 does not buy, receive, consume or possess spirituous liquor. This
40 paragraph does not apply to:

41 (a) Hotel or motel guest room accommodations.

42 (b) Exhibiting or displaying a firearm in conjunction with a
43 meeting, show, class or similar event.

44 (c) A person with a permit issued pursuant to section 13-3112 who
45 carries a concealed handgun on the licensed premises of any on-sale
46 retailer that has not posted a notice pursuant to section 4-229.

1 30. For a licensee or employee to knowingly allow a person in
2 possession of a firearm other than a peace officer while on duty or off
3 duty or a member of a sheriff's volunteer posse while on duty who has
4 received firearms training that is approved by the Arizona peace officer
5 standards and training board, a retired peace officer as defined in
6 section 38-1113 or an honorably retired law enforcement officer who has
7 been issued a certificate of firearms proficiency pursuant to section
8 13-3112, subsection T, the licensee or an employee of the licensee acting
9 with the permission of the licensee to remain on the licensed premises or
10 to serve, sell or furnish spirituous liquor to a person in possession of a
11 firearm while on the licensed premises of an on-sale retailer. It is a
12 defense to action under this paragraph if the licensee or employee
13 requested assistance of a peace officer to remove such person. This
14 paragraph does not apply to:

15 (a) Hotel or motel guest room accommodations.

16 (b) Exhibiting or displaying a firearm in conjunction with a
17 meeting, show, class or similar event.

18 (c) A person with a permit issued pursuant to section 13-3112 who
19 carries a concealed handgun on the licensed premises of any on-sale
20 retailer that has not posted a notice pursuant to section 4-229.

21 31. For any person in possession of a firearm while on the licensed
22 premises of an on-sale retailer to consume spirituous liquor. This
23 paragraph does not prohibit the consumption of small amounts of spirituous
24 liquor by an undercover peace officer on assignment to investigate the
25 licensed establishment.

26 32. For a licensee or employee to knowingly allow spirituous liquor
27 to be removed from the licensed premises, except in the original unbroken
28 package. This paragraph does not apply to any of the following:

29 (a) A person who removes a bottle of wine that has been partially
30 consumed in conjunction with a purchased meal from licensed premises if a
31 cork is inserted flush with the top of the bottle or the bottle is
32 otherwise securely closed.

33 (b) A person who is in licensed premises that have noncontiguous
34 portions that are separated by a public or private walkway or driveway and
35 who takes spirituous liquor from one portion of the licensed premises
36 across the public or private walkway or driveway directly to the other
37 portion of the licensed premises.

38 (c) A licensee of a bar, beer and wine bar, liquor store, beer and
39 wine store, microbrewery or restaurant that has a permit pursuant to
40 section 4-205.02, subsection H that dispenses beer only in a clean
41 container composed of a material approved by a national sanitation
42 organization with a maximum capacity that does not exceed one gallon and
43 not for consumption on the premises if:

44 (i) The licensee or the licensee's employee fills the container at
45 the tap at the time of sale.

46 (ii) The container is sealed and displays a government warning
47 label.

1 (d) A bar or liquor store licensee that prepares a mixed cocktail
2 or a restaurant licensee that leases the privilege to sell mixed cocktails
3 for consumption off the licensed premises pursuant to section 4-203.06 or
4 holds a permit pursuant to section 4-203.07 and section 4-205.02,
5 subsection K and that prepares a mixed cocktail and transfers it to a
6 clean container composed of a material approved by a national sanitation
7 organization with a maximum capacity that does not exceed thirty-two
8 ounces and not for consumption on the premises if all of the following
9 apply:

10 (i) The licensee or licensee's employee fills the container with
11 the mixed cocktail on the licensed premises of the bar, liquor store or
12 restaurant.

13 (ii) The container is tamperproof sealed by the licensee or the
14 licensee's employee and displays a government warning label.

15 (iii) The container clearly displays the bar's, liquor store's or
16 restaurant's logo or name.

17 (iv) For a restaurant licensee licensed pursuant to section
18 4-205.02, the sale of mixed cocktails for consumption off the licensed
19 premises is accompanied by the sale of menu food items for consumption on
20 or off the licensed premises.

21 33. For a person who is obviously intoxicated to buy or attempt to
22 buy spirituous liquor from a licensee or employee of a licensee or to
23 consume spirituous liquor on licensed premises.

24 34. For a person who is under twenty-one years of age to drive or
25 be in physical control of a motor vehicle while there is any spirituous
26 liquor in the person's body.

27 35. For a person who is under twenty-one years of age to operate or
28 be in physical control of a motorized watercraft that is underway while
29 there is any spirituous liquor in the person's body. For the purposes of
30 this paragraph, "underway" has the same meaning prescribed in section
31 5-301.

32 36. For a licensee, manager, employee or controlling person to
33 purposely induce a voter, by means of alcohol, to vote or abstain from
34 voting for or against a particular candidate or issue on an election day.

35 37. For a licensee to fail to report an occurrence of an act of
36 violence to either the department or a law enforcement agency.

37 38. For a licensee to use a vending machine for the purpose of
38 dispensing spirituous liquor.

39 39. For a licensee to offer for sale a wine carrying a label
40 including a reference to Arizona or any Arizona city, town or geographic
41 location unless at least seventy-five percent by volume of the grapes used
42 in making the wine were grown in Arizona.

43 40. For a retailer to knowingly allow a customer to bring
44 spirituous liquor onto the licensed premises, except that an on-sale
45 retailer may allow a wine and food club to bring wine onto the premises
46 for consumption by the club's members and guests of the club's members in
47 conjunction with meals purchased at a meeting of the club that is

1 conducted on the premises and that at least seven members attend. An
2 on-sale retailer that allows wine and food clubs to bring wine onto its
3 premises under this paragraph shall comply with all applicable provisions
4 of this title and any rules adopted pursuant to this title to the same
5 extent as if the on-sale retailer had sold the wine to the members of the
6 club and their guests. For the purposes of this paragraph, "wine and food
7 club" means an association that has more than twenty bona fide members
8 paying at least \$6 per year in dues and that has been in existence for at
9 least one year.

10 41. For a person who is under twenty-one years of age to have in
11 the person's body any spirituous liquor. In a prosecution for a violation
12 of this paragraph:

13 (a) Pursuant to section 4-249, it is a defense that the spirituous
14 liquor was consumed in connection with the bona fide practice of a
15 religious belief or as an integral part of a religious exercise and in a
16 manner not dangerous to public health or safety.

17 (b) Pursuant to section 4-226, it is a defense that the spirituous
18 liquor was consumed for a bona fide medicinal purpose and in a manner not
19 dangerous to public health or safety.

20 42. For an employee of a licensee to accept any gratuity,
21 compensation, remuneration or consideration of any kind to either:

22 (a) Allow a person who is under twenty-one years of age to enter
23 any portion of the premises where that person is prohibited from entering
24 pursuant to paragraph 22 of this section.

25 (b) Sell, furnish, dispose of or give spirituous liquor to a person
26 who is under twenty-one years of age.

27 43. For a person to purchase, offer for sale or use any device,
28 machine or process that mixes spirituous liquor with pure oxygen or
29 another gas to produce a vaporized product for the purpose of consumption
30 by inhalation or to allow patrons to use any item for the consumption of
31 vaporized spirituous liquor.

32 44. For a retail licensee or an employee of a retail licensee to
33 sell spirituous liquor to a person if the retail licensee or employee
34 knows the person intends to resell the spirituous liquor.

35 45. Except as authorized by paragraph 32, subdivision (c) of this
36 section, for a person to reuse a bottle or other container authorized for
37 use by the laws of the United States or any agency of the United States
38 for the packaging of distilled spirits or for a person to increase the
39 original contents or a portion of the original contents remaining in a
40 liquor bottle or other authorized container by adding any substance.

41 46. For a direct shipment licensee, a farm winery licensee or an
42 employee of those licensees to sell, dispose of, deliver or give
43 spirituous liquor to an individual purchaser between the hours of
44 2:00 a.m. and 6:00 a.m., except that a direct shipment licensee or a farm
45 winery licensee may receive and process orders, accept payment, package,
46 load or otherwise prepare wine for delivery at any time without complying
47 with section 4-241, subsections A and K, if the actual deliveries to

1 individual purchasers are made between the hours of 6:00 a.m. and
2 2:00 a.m. and in accordance with section 4-203.04 for direct shipment
3 licensees and section 4-205.04 for farm winery licensees.

4 47. For a supplier to coerce or attempt to coerce a wholesaler to
5 accept delivery of beer or any other commodity that has not been ordered
6 by the wholesaler or for which the order was canceled. A supplier may
7 impose reasonable inventory requirements on a wholesaler if the
8 requirements are made in good faith and are generally applied to other
9 similarly situated wholesalers that have an agreement with the supplier.>>

10 <<Sec. 2. Section 8-385.01, Arizona Revised Statutes, is amended to
11 read:

12 8-385.01. Victims' rights for neighborhood associations

13 A. A neighborhood association may register with the city, town or
14 county in which the neighborhood association is located to invoke the
15 rights that are afforded pursuant to this article. The city, town or
16 county shall establish procedures for the registration of neighborhood
17 associations pursuant to this section. The procedures shall require the
18 neighborhood association to provide to the city, town or county the name
19 and telephone number of one person who shall act on behalf of the
20 neighborhood association and who may receive notice or invoke rights
21 pursuant to this section. The neighborhood association shall notify the
22 city, town or county of any changes to this information. If the
23 neighborhood association fails to keep this information current, the
24 neighborhood association is deemed to have waived its rights under this
25 section.

26 B. Notwithstanding any law to the contrary, if a juvenile commits
27 an act that if committed by an adult would be a crime under section
28 13-1602, subsection A, paragraph 5, section 13-3102, subsection A,
29 paragraph ~~[9]~~ [10], section 13-3201 or 13-3204, section 13-3208,
30 subsection B or section 13-3209, 13-3405, 13-3407, 13-3408, 13-3421 or
31 13-4702, a neighborhood association that is registered with a city, town
32 or county pursuant to subsection A of this section may receive notice or
33 may invoke rights pursuant to the following sections:

- 34 1. Section 8-390.
- 35 2. Section 8-400.
- 36 3. Section 8-405.

37 C. Sections 8-407, 8-413 and 8-415 apply to all matters in which a
38 neighborhood association invokes rights under this section.

39 D. If the neighborhood association wishes to invoke victims' rights
40 for a crime as prescribed in subsection B of this section that resulted in
41 an arrest, the person who is registered with the city, town or county
42 pursuant to subsection A of this section shall contact the law enforcement
43 agency responsible for the arrest. The law enforcement agency shall fill
44 out the form prescribed by section 8-386. Thereafter the neighborhood
45 association, through the contact person, shall be afforded all of the
46 rights listed under subsection B of this section.>>

1 <<Sec. 3. Section 12-714, Arizona Revised Statutes, is amended to
2 read:

3 12-714. Actions against firearm manufacturers; prohibition;
4 findings; definitions

5 A. A political subdivision of this state shall not commence a
6 qualified civil liability action in any Arizona court.

7 B. The legislature finds that:

8 1. The citizens of this state have the right, under the second
9 amendment to the United States Constitution and article ~~[2]~~ [11], section
10 26 of the Arizona Constitution, to keep and bear arms.

11 2. Lawsuits have been commenced against the manufacturers,
12 distributors, dealers and importers of nondefective firearms for the harm
13 caused by the misuse of firearms by third parties, including criminals.

14 3. Businesses in the United States that are engaged in the lawful
15 sale to the public of firearms or ammunition are not~~[,-]~~ and should not be
16 liable for the harm caused by those who unlawfully misuse firearms or
17 ammunition.

18 4. The possibility of imposing liability on an entire industry for
19 harm that is the sole responsibility of others is an abuse of the legal
20 system, threatens the diminution of a basic constitutional right and
21 constitutes an unreasonable burden on the free enterprise system.

22 5. The liability actions commenced by political subdivisions are
23 based on theories without foundation in the common law and American
24 jurisprudence. Such an expansion of liability would constitute a
25 deprivation of the rights, privileges and immunities guaranteed to
26 citizens of this state under both the Constitution of Arizona and the
27 United States Constitution.

28 C. ~~[As used in]~~ [FOR THE PURPOSES OF] this section:

29 1. "Manufacturer" means, with respect to a qualified product:

30 (a) A person who is engaged in a business to import, make, produce,
31 create or assemble a qualified product and who designs or formulates, or
32 has engaged another person to design or formulate, a qualified product.

33 (b) A seller of a qualified product, but only with respect to an
34 aspect of the product that is made or affected when the seller makes,
35 produces, creates or assembles and designs or formulates an aspect of the
36 product made by another person.

37 (c) Any seller of a qualified product who represents to a user of a
38 qualified product that the seller is a manufacturer of the qualified
39 product.

40 2. "Qualified civil liability action" means a civil action brought
41 by a political subdivision against a manufacturer or seller of a qualified
42 product or a trade association~~[,-]~~ for damages resulting from the criminal
43 or unlawful misuse of a qualified product by a third party. Qualified
44 civil liability action does not include an action brought against a
45 transferor convicted under 18 United States Code section 924(h) or section
46 13-3102, subsection A, paragraph ~~[14,]~~ [15] by a party directly harmed by
47 the conduct of which the transferee is convicted.

1 3. "Qualified product" means a nondefective firearm as defined in
2 18 United States Code section 921(a)(3) or nondefective ammunition as
3 defined in 18 United States Code section 921(a)(17), or a component part
4 of a firearm or ammunition, that has been shipped or transported in
5 interstate or foreign commerce.

6 4. "Seller" means, with respect to a qualified product, a person
7 who either:

8 (a) In the course of a business conducted for that purpose sells,
9 distributes, rents, leases, prepares, blends, packages, labels or
10 otherwise is involved in placing a qualified product in the stream of
11 commerce.

12 (b) Installs, repairs, refurbishes, reconditions or maintains an
13 aspect of a qualified product that is alleged to have resulted in damages.

14 5. "Trade association" means any association or business
15 organization, whether or not incorporated under federal or state law, two
16 or more members of which are manufacturers or sellers of a qualified
17 product.>>

18 <<Sec. 4. Section 12-721, Arizona Revised Statutes, is amended to
19 read:

20 12-721. Prohibited commencement of qualified civil liability
21 actions; firearm manufacturers and sellers;
22 applicability; attorney fees and costs; definitions

23 A. A person may not commence a qualified civil liability action.

24 B. This section does not prohibit a person who is under seventeen
25 years of age from recovering damages pursuant to a civil action authorized
26 by a federal or state law described in subsection ~~[C]~~ [D], paragraph 4,
27 subdivision (c), item (i), (ii), (iii), (iv) or (v) of this section.

28 C. The prevailing party in an action filed pursuant to this section
29 shall recover reasonable attorney fees and costs.

30 D. For the purposes of this section:

31 1. "Engaged in the business" means any of the following:

32 (a) As applied to a manufacturer of firearms, a person that devotes
33 time, attention and labor to manufacturing firearms as a regular course of
34 trade or business with the principal objective of livelihood and profit
35 through the sale or distribution of the manufactured firearms.

36 (b) As applied to a manufacturer of ammunition, a person that
37 devotes time, attention and labor to manufacturing ammunition as a regular
38 course of trade or business with the principal objective of livelihood and
39 profit through the sale or distribution of the manufactured ammunition.

40 (c) As applied to a dealer in firearms, as defined in 18 United
41 States Code section 921(a)(11)(A), a person that devotes time, attention
42 and labor to dealing in firearms as a regular course of trade or business
43 with the principal objective of livelihood and profit through the
44 repetitive purchase and resale of firearms but does not include a person
45 who makes occasional sales, exchanges or purchases of firearms for the
46 enhancement of a personal collection or for a hobby or who sells all or
47 part of the person's personal collection of firearms.

1 (d) As applied to a dealer in firearms, as defined in 18 United
2 States Code section 921(a)(11)(B), a person that devotes time, attention
3 and labor to engaging in the activity as a regular course of trade or
4 business with the principal objective of livelihood and profit but does
5 not include a person who makes occasional repairs of firearms or who
6 occasionally fits special barrels, stocks or trigger mechanisms to
7 firearms.

8 (e) As applied to an importer of firearms, a person that devotes
9 time, attention and labor to importing firearms as a regular course of
10 trade or business with the principal objective of livelihood and profit
11 through the sale or distribution of the imported firearms.

12 (f) As applied to an importer of ammunition, a person that devotes
13 time, attention and labor to importing ammunition as a regular course of
14 trade or business with the principal objective of livelihood and profit
15 through the sale or distribution of the imported ammunition.

16 2. "Manufacturer" means, with respect to a qualified product, a
17 person that is engaged in the business of manufacturing the product in
18 interstate or foreign commerce and that is licensed to engage in business.

19 3. "Negligent entrustment" means supplying a qualified product by a
20 seller for use by another person when the seller knows, or reasonably
21 should know, the person to whom the product is supplied is likely to, and
22 does, use the product in a manner involving unreasonable risk of physical
23 injury to the person or others.

24 4. "Qualified civil liability action" means a civil action or
25 proceeding or an administrative proceeding brought by any person against a
26 manufacturer or seller of a qualified product or a trade association for
27 damages, punitive damages, injunctive or declaratory relief, abatement,
28 restitution, fines, penalties or other relief resulting from the criminal
29 or unlawful misuse of a qualified product by the person or a third party.
30 Qualified civil liability action does not include:

31 (a) An action brought against a transferor convicted under 18
32 United States Code section 924(h) or section 13-3102, subsection A,
33 paragraph ~~[14]~~ [15] by a party directly harmed by the conduct of which the
34 transferee is convicted.

35 (b) An action brought against a seller for negligent entrustment or
36 negligence per se.

37 (c) An action in which a manufacturer or seller of a qualified
38 product knowingly violated a state or federal law applicable to the sale
39 of the qualified product and the violation was a proximate cause of the
40 harm for which relief is sought, including any of the following:

41 (i) Any case in which the manufacturer or seller knowingly made any
42 false entry in or failed to make appropriate entry in any record required
43 to be kept under federal or state law with respect to the qualified
44 product or aided, abetted or conspired with any person in making any false
45 or fictitious oral or written statement with respect to any fact material
46 to the lawfulness of the sale or other disposition of a qualified product.

1 (ii) Any case in which the manufacturer or seller aided, abetted or
2 conspired with any other person to sell or otherwise dispose of a
3 qualified product, knowing or having reasonable cause to believe that the
4 actual buyer of the qualified product was prohibited from possessing or
5 receiving a firearm or ammunition under 18 United States Code section
6 922(g) or (n).

7 (iii) An action for breach of contract or warranty in connection
8 with the purchase of the qualified product.

9 (iv) An action for death, physical injury or property damage
10 resulting directly from a defect in the design or manufacture of the
11 qualified product, when used as intended or in a reasonably foreseeable
12 manner, except that if the discharge of the qualified product was caused
13 by a volitional act that constituted a criminal offense, the act is
14 considered the sole proximate cause of any resulting death, personal
15 injury or property damage.

16 (v) An action or proceeding commenced by the United States attorney
17 general to enforce 18 United States Code chapter 44 or 26 United States
18 Code chapter 53.

19 5. "Qualified product" means a firearm as defined in 18 United
20 States Code section 921(a)(3)(A) or (B), including an antique firearm as
21 defined in 18 United States Code section 921(a)(16) or ammunition as
22 defined in 18 United States Code section 921(a)(17)(A) or a component part
23 of a firearm or ammunition, that has been shipped or transported in
24 interstate or foreign commerce.

25 6. "Seller" means, with respect to a qualified product, any of the
26 following:

27 (a) An importer as defined in 18 United States Code section
28 921(a)(9) that is engaged in the business as an importer in interstate or
29 foreign commerce and that is licensed to engage in business as an importer
30 under 18 United States Code chapter 44.

31 (b) A dealer as defined in 18 United States Code section 921(a)(11)
32 that is engaged in the business as a dealer in interstate or foreign
33 commerce and that is licensed to engage in business as a dealer under 18
34 United States Code chapter 44.

35 (c) A person that is engaged in the business of selling ammunition
36 as defined in 18 United States Code section 921(a)(17)(A) in interstate or
37 foreign commerce at the wholesale or retail level.

38 7. "Trade association" means any corporation, unincorporated
39 association, federation, business league or professional or business
40 organization that ~~[+s]~~ [MEETS] all of the following:

41 (a) [IS] not organized or operated for profit and no part of the
42 net earnings of which inures to the benefit of any private shareholder or
43 individual.

44 (b) Is an organization described in 26 United States Code section
45 501(c)(6) and is exempt from tax under 26 United States Code section
46 501(a).

1 (c) [HAS] two or more members [~~of which~~] [THAT] are manufacturers
2 or sellers of a qualified product.

3 8. "With the principal objective of livelihood and profit" means
4 the intent underlying the sale or disposition of firearms is predominantly
5 one of obtaining livelihood and pecuniary gain as opposed to other
6 intents, including improving or liquidating a personal firearms
7 collection.>>

8 Sec. 5. Section 13-2911, Arizona Revised Statutes, is amended to
9 read:

10 13-2911. Interference with or disruption of an educational
11 institution; violation; classification;
12 definitions

13 A. A person commits interference with or disruption of an
14 educational institution by doing any of the following:

15 1. Intentionally, knowingly or recklessly interfering with or
16 disrupting the normal operations of an educational institution by either:

17 (a) Threatening to cause physical injury to any employee or student
18 of an educational institution or any person on the property of an
19 educational institution.

20 (b) Threatening to cause damage to any educational institution, the
21 property of any educational institution or the property of any employee or
22 student of an educational institution.

23 2. Intentionally or knowingly entering or remaining on the property
24 of any educational institution for the purpose of interfering with the
25 lawful use of the property or in any manner as to deny or interfere with
26 the lawful use of the property by others.

27 3. Intentionally or knowingly refusing to obey a lawful order given
28 pursuant to subsection C of this section.

29 B. To constitute a violation of this section, the acts that are
30 prohibited by subsection A, paragraph 1 of this section are not required
31 to be directed at a specific individual, a specific educational
32 institution or any specific property of an educational institution.

33 C. The chief administrative officer of an educational institution
34 or an officer or employee designated by the chief administrative officer
35 to maintain order may order a person to leave the property of the
36 educational institution if the officer or employee has reasonable grounds
37 to believe either that:

38 1. Any person or persons are committing any act that interferes
39 with or disrupts the lawful use of the property by others at the
40 educational institution.

41 2. Any person has entered on the property of an educational
42 institution for the purpose of committing any act that interferes with or
43 disrupts the lawful use of the property by others at the educational
44 institution.

45 D. The appropriate governing board of every educational institution
46 shall adopt rules pursuant to title 41, chapter 6 for ~~the maintenance of~~
47 MAINTAINING public order on all property of any educational institution

1 under its jurisdiction that is used for educational purposes and shall
2 provide a program for ~~the enforcement of~~ ENFORCING its rules. The rules
3 shall govern the conduct of students, faculty and other staff and all
4 members of the public while on the property of the educational
5 institution. Penalties for ~~violations of~~ VIOLATING the rules shall be
6 clearly set forth and enforced. Penalties shall include provisions for
7 the ejection of a violator from the property and, in the case of a
8 student, faculty member or other staff violator, the violator's suspension
9 or expulsion or any other appropriate disciplinary action. A governing
10 board shall amend its rules as necessary to ensure the maintenance of
11 public order. Any deadly weapon, dangerous instrument or explosive that
12 is used, displayed or possessed by a person in violation of a rule adopted
13 pursuant to this subsection shall be forfeited and sold or otherwise
14 disposed of pursuant to section 13-3105 and chapter 39 of this title.
15 This subsection does not do either of the following:

16 1. Preclude school districts from conducting approved gun safety
17 programs on school campuses.

18 2. Apply to private universities, colleges, high schools or common
19 schools or other private educational institutions.

20 E. An educational institution is not eligible to receive any state
21 aid or assistance unless rules are adopted in accordance with this
22 section.

23 F. This section does not prevent or limit the authority of the
24 governing board of any educational institution to discharge any employee
25 or expel, suspend or otherwise punish any student for ~~any violation of~~
26 VIOLATING its rules, even though the violation is unlawful under this
27 chapter or is otherwise an offense.

28 G. NOTWITHSTANDING SUBSECTION D OF THIS SECTION, THE GOVERNING
29 BOARD OF ANY UNIVERSITY, COLLEGE OR COMMUNITY COLLEGE SHALL ~~[NOT]~~ ENACT OR
30 ENFORCE ANY POLICY OR RULE THAT PROHIBITS THE POSSESSION OF A CONCEALED
31 WEAPON BY A PERSON WHO POSSESSES A VALID PERMIT RECOGNIZED OR ISSUED
32 PURSUANT TO SECTION 13-3112 OR THE TRANSPORTATION OR STORAGE OF A FIREARM
33 PURSUANT TO SECTION 12-781.

34 ~~G.~~ H. This section may be enforced by any peace officer in this
35 state wherever and whenever a violation occurs.

36 ~~H.~~ I. Restitution under sections 8-341, 8-345 and 13-603 applies
37 to any financial loss that is suffered by a person or educational
38 institution as a result of a violation of this section.

39 ~~I.~~ J. Notwithstanding section 15-341 and subsection D of this
40 section, the governing board of an educational institution may not adopt
41 or enforce any policy or rule that prohibits the lawful possession or
42 carrying of a deadly weapon on a public right-of-way by a person or on or
43 within a person's means of transportation.

44 ~~J.~~ K. Interference with or disruption of an educational
45 institution pursuant to subsection A, paragraph 1 of this section is a
46 class 6 felony. Interference with or disruption of an educational

1 institution pursuant to subsection A, paragraph 2 or 3 of this section is
2 a class 1 misdemeanor.

3 ~~K.~~ L. For the purposes of this section:

4 1. "Educational institution" means, except as otherwise provided,
5 any university, college, community college, high school or common school
6 in this state.

7 2. "Governing board" means the body, whether appointed or elected,
8 that has responsibility for the maintenance and government of an
9 educational institution.

10 3. "Interference with or disruption of" includes any act that might
11 reasonably lead to the evacuation or closure of any property of the
12 educational institution or the postponement, cancellation or suspension of
13 any class or other school activity. For the purposes of this paragraph,
14 an actual evacuation, closure, postponement, cancellation or suspension is
15 not required for the act to be considered an interference or disruption.

16 4. "Property of an educational institution" means all land,
17 buildings and other facilities that are owned, operated or controlled by
18 the governing board of an educational institution and that are devoted to
19 educational purposes.

20 5. "Public right-of-way" means any highway, street, road,
21 thoroughfare, path, alley or other right-of-way that is publicly
22 accessible and that is established and maintained by this state or a
23 political subdivision of this state. Public right-of-way does not include
24 property of an educational institution.

25 <<Sec. 6. Section 13-3102, Arizona Revised Statutes, is amended to
26 read:

27 13-3102. Misconduct involving weapons; defenses;
28 classification; definitions

29 A. A person commits misconduct involving weapons by knowingly:

30 [1. CARRYING A DEADLY WEAPON WITHOUT A PERMIT PURSUANT TO SECTION
31 13-3112 EXCEPT A POCKET KNIFE CONCEALED ON HIS PERSON; OR]

32 [1.] [2.] Carrying a deadly weapon except a pocket knife concealed
33 on his person or within his immediate control in or on a means of
34 transportation:

35 (a) In the furtherance of a serious offense as defined in section
36 13-706, a violent crime as defined in section 13-901.03 or any other
37 felony offense; or

38 (b) When contacted by a law enforcement officer and failing to
39 accurately answer the officer if the officer asks whether the person is
40 carrying a concealed deadly weapon; or

41 [2.] [3.] Carrying a deadly weapon except a pocket knife concealed
42 on his person or concealed within his immediate control in or on a means
43 of transportation if the person is under twenty-one years of age; or

44 [3.] [4.] Manufacturing, possessing, transporting, selling or
45 transferring a prohibited weapon, except that if the violation involves
46 dry ice, a person commits misconduct involving weapons by knowingly

1 possessing the dry ice with the intent to cause injury to or death of
2 another person or to cause damage to the property of another person; or
3 ~~[4.]~~ ~~[5.]~~ Possessing a deadly weapon or prohibited weapon if such
4 person is a prohibited possessor; or
5 ~~[5.]~~ ~~[6.]~~ Selling or transferring a deadly weapon to a prohibited
6 possessor; or
7 ~~[6.]~~ ~~[7.]~~ Defacing a deadly weapon; or
8 ~~[7.]~~ ~~[8.]~~ Possessing a defaced deadly weapon knowing the deadly
9 weapon was defaced; or
10 ~~[8.]~~ ~~[9.]~~ Using or possessing a deadly weapon during the
11 commission of any felony offense included in chapter 34 of this title; or
12 ~~[9.]~~ ~~[10.]~~ Discharging a firearm at an occupied structure in order
13 to assist, promote or further the interests of a criminal street gang, a
14 criminal syndicate or a racketeering enterprise; or
15 ~~[10.]~~ ~~[11.]~~ Unless specifically authorized by law, entering any
16 public establishment or attending any public event and carrying a deadly
17 weapon on his person after a reasonable request by the operator of the
18 establishment or the sponsor of the event or the sponsor's agent to remove
19 his weapon and place it in the custody of the operator of the
20 establishment or the sponsor of the event for temporary and secure storage
21 of the weapon pursuant to section 13-3102.01; or
22 ~~[11.]~~ ~~[12.]~~ Unless specifically authorized by law, entering an
23 election polling place on the day of any election carrying a deadly
24 weapon; or
25 ~~[12.]~~ ~~[13.]~~ Possessing a deadly weapon on school grounds; or
26 ~~[13.]~~ ~~[14.]~~ Unless specifically authorized by law, entering a
27 nuclear or hydroelectric generating station carrying a deadly weapon on
28 his person or within the immediate control of any person; or
29 ~~[14.]~~ ~~[15.]~~ Supplying, selling or giving possession or control of
30 a firearm to another person if the person knows or has reason to know that
31 the other person would use the firearm in the commission of any felony; or
32 ~~[15.]~~ ~~[16.]~~ Using, possessing or exercising control over a deadly
33 weapon in furtherance of any act of terrorism as defined in section
34 13-2301 or possessing or exercising control over a deadly weapon knowing
35 or having reason to know that it will be used to facilitate any act of
36 terrorism as defined in section 13-2301; or
37 ~~[16.]~~ ~~[17.]~~ Trafficking in weapons or explosives for financial
38 gain in order to assist, promote or further the interests of a criminal
39 street gang, a criminal syndicate or a racketeering enterprise.
40 B. Subsection A, ~~[paragraph]~~ ~~[PARAGRAPHS 1 AND]~~ 2 of this section
41 shall not apply to:
42 1. A person in his dwelling, on his business premises or on real
43 property owned or leased by that person or that person's parent,
44 grandparent or legal guardian.
45 2. A member of the sheriff's volunteer posse or reserve
46 organization who has received and passed firearms training that is
47 approved by the Arizona peace officer standards and training board and who

1 is authorized by the sheriff to carry a concealed weapon pursuant to
2 section 11-441.

3 3. A firearm that is carried in:

4 (a) A manner where any portion of the firearm or holster in which
5 the firearm is carried is visible.

6 (b) A holster that is wholly or partially visible.

7 (c) A scabbard or case designed for carrying weapons that is wholly
8 or partially visible.

9 (d) Luggage.

10 (e) A case, holster, scabbard, pack or luggage that is carried
11 within a means of transportation or within a storage compartment, map
12 pocket, trunk or glove compartment of a means of transportation.

13 C. Subsection A, paragraphs ~~[2,]~~ 3, ~~[4,]~~ ~~[7,]~~ ~~[8,]~~ ~~[10,]~~ 11, 12~~[,]~~
14 ~~[and]~~ 13 ~~[AND 14]~~ of this section shall not apply to:

15 1. A peace officer or any person summoned by any peace officer to
16 assist and while actually assisting in the performance of official duties;
17 or

18 2. A member of the military forces of the United States or of any
19 state of the United States in the performance of official duties; or

20 3. A warden, deputy warden, community correctional officer,
21 detention officer, special investigator or correctional officer of the
22 state department of corrections or the department of juvenile corrections;
23 or

24 4. A person specifically licensed, authorized or permitted pursuant
25 to a statute of this state or of the United States.

26 D. Subsection A, paragraph ~~[10]~~ ~~[11]~~ of this section does not apply
27 to an elected or appointed judicial officer in the court facility where
28 the judicial officer works if the judicial officer has demonstrated
29 competence with a firearm ~~[as prescribed in section 13-3112,~~
30 ~~subsection N]~~, except that the judicial officer shall comply with any rule
31 or policy adopted by the presiding judge of the superior court while in
32 the court facility. For the purposes of this subsection, appointed
33 judicial officer does not include a hearing officer or a judicial officer
34 pro tempore who is not a full-time officer.

35 E. Subsection A, paragraphs ~~[3-]~~ ~~[4]~~ and ~~[7-]~~ ~~[8]~~ of this section
36 shall not apply to:

37 1. The possessing, transporting, selling or transferring of weapons
38 by a museum as a part of its collection or an educational institution for
39 educational purposes or by an authorized employee of such museum or
40 institution, if:

41 (a) Such museum or institution is operated by the United States or
42 this state or a political subdivision of this state, or by an organization
43 described in 26 United States Code section 170(c) as a recipient of a
44 charitable contribution; and

45 (b) Reasonable precautions are taken with respect to theft or
46 misuse of such material.

47 2. The regular and lawful transporting as merchandise; or

1 3. Acquisition by a person by operation of law such as by gift,
2 devise or descent or in a fiduciary capacity as a recipient of the
3 property or former property of an insolvent, incapacitated or deceased
4 person.

5 F. Subsection A, paragraph ~~[3-]~~ [4] of this section shall not apply
6 to the merchandise of an authorized manufacturer of or dealer in
7 prohibited weapons, when such material is intended to be manufactured,
8 possessed, transported, sold or transferred solely for or to a dealer, a
9 regularly constituted or appointed state, county or municipal police
10 department or police officer, a detention facility, the military service
11 of this or another state or the United States, a museum or educational
12 institution or a person specifically licensed or permitted pursuant to
13 federal or state law.

14 G. Subsection A, paragraph ~~[10]~~ [11] of this section shall not
15 apply to shooting ranges or shooting events, hunting areas or similar
16 locations or activities.

17 H. Subsection A, paragraph ~~[12]~~ [13] of this section shall not
18 apply to a weapon if ~~[such]~~ [THE] weapon is possessed for the purposes of
19 preparing for, conducting or participating in hunter or firearm safety
20 courses.

21 I. Subsection A, paragraph ~~[12]~~ [13] of this section shall not
22 apply to the possession of a:

23 1. Firearm that is not loaded and that is carried within a means of
24 transportation under the control of an adult provided that if the adult
25 leaves the means of transportation the firearm shall not be visible from
26 the outside of the means of transportation and the means of transportation
27 shall be locked.

28 2. Firearm for use on the school grounds in a program approved by a
29 school.

30 3. Firearm by a person who possesses a certificate of firearms
31 proficiency pursuant to section 13-3112, subsection ~~[7-]~~ [V] and who is
32 authorized to carry a concealed firearm pursuant to the law enforcement
33 officers safety act of 2004 (P.L. 108-277; 118 Stat. 865; 18 United States
34 Code sections 926B and 926C).

35 J. Subsection A, paragraphs ~~[2-]~~ 3, ~~[7-]~~ [4, 8] and ~~[13]~~ [14] of
36 this section shall not apply to commercial nuclear generating station
37 armed nuclear security guards during the performance of official duties or
38 during any security training exercises sponsored by the commercial nuclear
39 generating station or local, state or federal authorities.

40 K. The operator of the establishment or the sponsor of the event or
41 the employee of the operator or sponsor or the agent of the sponsor,
42 including a public entity or public employee, is not liable for acts or
43 omissions pursuant to subsection A, paragraph ~~[10]~~ [11] of this section
44 unless the operator, sponsor, employee or agent intended to cause injury
45 or was grossly negligent.

1 L. If a law enforcement officer contacts a person who is in
2 possession of a firearm, the law enforcement officer may take temporary
3 custody of the firearm for the duration of that contact.

4 M. Misconduct involving weapons under subsection A, paragraph ~~[15]~~
5 ~~[16]~~ of this section is a class 2 felony. Misconduct involving weapons
6 under subsection A, paragraph ~~[9, 14]~~ ~~[10, 15]~~ or ~~[16]~~ ~~[17]~~ of this
7 section is a class 3 felony. Misconduct involving weapons under subsection
8 A, paragraph ~~[3,]~~ 4, ~~[5,]~~ ~~[8-]~~ ~~[9]~~ or ~~[13]~~ ~~[14]~~ of this section is a class
9 4 felony. Misconduct involving weapons under subsection A, paragraph ~~[12]~~
10 ~~[13]~~ of this section is a class 1 misdemeanor unless the violation occurs
11 in connection with conduct that violates section 13-2308, subsection A,
12 paragraph 5, section 13-2312, subsection C, section 13-3409 or section
13 13-3411, in which case the offense is a class 6 felony. Misconduct
14 involving weapons under subsection A, paragraph ~~[1-]~~ ~~[2]~~, subdivision (a)
15 of this section or subsection A, paragraph ~~[5,]~~ 6~~.,~~ ~~[6-]~~ 7 ~~[OR 8]~~ of this
16 section is a class 6 felony. Misconduct involving weapons under
17 ~~[SUBSECTION A, PARAGRAPH 1 OF THIS SECTION,]~~ subsection A, paragraph ~~[1-]~~
18 ~~[2]~~, subdivision (b) of this section or subsection A, paragraph ~~[10]~~ ~~[11]~~
19 or ~~[11]~~ ~~[12]~~ of this section is a class 1 misdemeanor. Misconduct
20 involving weapons under subsection A, paragraph ~~[2-]~~ ~~[3]~~ of this section
21 is a class 3 misdemeanor.

22 N. For the purposes of this section:

23 1. "Contacted by a law enforcement officer" means a lawful traffic
24 or criminal investigation, arrest or detention or an investigatory stop by
25 a law enforcement officer that is based on reasonable suspicion that an
26 offense has been or is about to be committed.

27 2. "Public establishment" means a structure, vehicle or craft that
28 is owned, leased or operated by this state or a political subdivision of
29 this state.

30 3. "Public event" means a specifically named or sponsored event of
31 limited duration that is either conducted by a public entity or conducted
32 by a private entity with a permit or license granted by a public entity.
33 Public event does not include an unsponsored gathering of people in a
34 public place.

35 4. "School" means a public or nonpublic kindergarten program,
36 common school or high school.

37 5. "School grounds" means in, or on the grounds of, a school.>>

38 <<Sec. 7. Section 13-3105, Arizona Revised Statutes, is amended to
39 read:

40 13-3105. Forfeiture of weapons and explosives

41 A. On the conviction of any person for a violation of any felony in
42 this state in which a deadly weapon, dangerous instrument or explosive was
43 used, displayed or unlawfully possessed by the person, the court shall
44 order the article forfeited and sold within one year after its forfeiture
45 to any business that is authorized to receive and dispose of the article
46 under federal and state law and that shall sell the article to the public
47 according to federal and state law, unless the article is otherwise

1 prohibited from being sold under federal and state law, in which case it
2 shall be destroyed or otherwise properly disposed.

3 B. On the conviction of any person for a violation of section
4 13-2904, subsection A, paragraph 6 or section 13-3102, subsection A,
5 paragraph 1[, 2] or [~~8~~] [9], the court may order the forfeiture of the
6 deadly weapon or dangerous instrument involved in the offense.

7 C. If at any time the court finds pursuant to rule 11 of the
8 Arizona rules of criminal procedure that a person who is charged with a
9 violation of this title is incompetent, the court shall order that any
10 deadly weapon, dangerous instrument or explosive used, displayed or
11 unlawfully possessed by the person during the commission of the alleged
12 offense be forfeited and sold within one year after its forfeiture to any
13 business that is authorized to receive and dispose of the article under
14 federal and state law and that shall sell the article to the public
15 according to federal and state law, unless the article is otherwise
16 prohibited from being sold under federal and state law, in which case it
17 shall be destroyed or otherwise properly disposed.>>

18 <<Sec. 8. Section 13-3112, Arizona Revised Statutes, is amended to
19 read:

20 13-3112. Concealed weapons; qualification; application; permit
21 to carry; civil penalty; report; applicability;
22 annual report

23 A. The department of public safety shall issue a permit to carry a
24 concealed weapon to a person who is qualified under this section. The
25 person shall carry the permit at all times when the person is in actual
26 possession of the concealed weapon and is required by section 4-229 or
27 4-244 to carry the permit. If the person is in actual possession of the
28 concealed weapon and is required by section 4-229 or 4-244 to carry the
29 permit, the person shall present the permit for inspection to any law
30 enforcement officer on request. The department of public safety shall
31 prioritize applications of in-state residents when issuing a permit to
32 carry a concealed weapon.

33 B. The permit of a person who is arrested or indicted for an
34 offense that would make the person unqualified under section 13-3101,
35 subsection A, paragraph 7 or this section shall be immediately suspended
36 and seized. The permit of a person who becomes unqualified on conviction
37 of that offense shall be revoked. The permit shall be restored on
38 presentation of documentation from the court if the permittee is found not
39 guilty or the charges are dismissed. The permit shall be restored on
40 presentation of documentation from the county attorney that the charges
41 against the permittee were dropped or dismissed.

42 C. A permittee who carries a concealed weapon, who is required by
43 section 4-229 or 4-244 to carry a permit and who fails to present the
44 permit for inspection on the request of a law enforcement officer commits
45 a violation of this subsection and is subject to a civil penalty of not
46 more than \$300. The department of public safety shall be notified of all
47 violations of this subsection and shall immediately suspend the permit.

1 ~~[THE PERMITTEE SHALL PRESENT THE PERMIT TO THE LAW ENFORCEMENT AGENCY OR~~
2 ~~THE COURT. ON NOTIFICATION OF THE PRESENTATION OF THE PERMIT, THE~~
3 ~~DEPARTMENT SHALL RESTORE THE PERMIT.]~~ A permittee shall not be convicted
4 of a violation of this subsection if the permittee produces to the court a
5 legible permit that is issued to the permittee and that was valid at the
6 time the permittee failed to present the permit for inspection.

7 D. A law enforcement officer shall not confiscate or forfeit a
8 weapon that is otherwise lawfully possessed by a permittee whose permit is
9 suspended pursuant to subsection C of this section, except that a law
10 enforcement officer may take temporary custody of a firearm during an
11 investigatory stop of the permittee.

12 E. The department of public safety shall issue a permit to an
13 applicant who meets all of the following conditions:

14 1. Is a resident of this state or a United States citizen.

15 2. Is twenty-one years of age or older or is at least nineteen
16 years of age and provides evidence of current military service or proof of
17 honorable discharge or general discharge under honorable conditions from
18 the United States armed forces, the United States armed forces reserve or
19 a state national guard.

20 3. Is not under indictment for and has not been convicted in any
21 jurisdiction of a felony unless that conviction has been expunged, set
22 aside or vacated or the applicant's rights have been restored and the
23 applicant is currently not a prohibited possessor under state or federal
24 law.

25 4. Does not suffer from mental illness and has not been adjudicated
26 mentally incompetent or committed to a mental institution.

27 5. Is not unlawfully present in the United States.

28 ~~[6. Has ever demonstrated competence with a firearm as prescribed~~
29 ~~by subsection N of this section and provides adequate documentation that~~
30 ~~the person has satisfactorily completed a training program or demonstrated~~
31 ~~competence with a firearm in any state or political subdivision in the~~
32 ~~United States. For the purposes of this paragraph, "adequate~~
33 ~~documentation" means:~~

34 ~~(a) A current or expired permit issued by the department of public~~
35 ~~safety pursuant to this section.~~

36 ~~(b) An original or copy of a certificate, card or document that~~
37 ~~shows the applicant has ever completed any course or class prescribed by~~
38 ~~subsection N of this section or an affidavit from the instructor, school,~~
39 ~~club or organization that conducted or taught the course or class~~
40 ~~attesting to the applicant's completion of the course or class.~~

41 ~~(c) An original or a copy of a United States department of defense~~
42 ~~form 214 (DD-214) indicating an honorable discharge or general discharge~~
43 ~~under honorable conditions, a certificate of completion of basic training~~
44 ~~or any other document demonstrating proof of the applicant's current or~~
45 ~~former service in the United States armed forces as prescribed by~~
46 ~~subsection N, paragraph 5 of this section.~~

1 ~~(d) An original or a copy of a concealed weapon, firearm or handgun~~
2 ~~permit or a license as prescribed by subsection N, paragraph 6 of this~~
3 ~~section.]~~

4 [6. HAS EVER SATISFACTORILY COMPLETED A FIREARMS SAFETY TRAINING
5 PROGRAM AUTHORIZED BY THE DEPARTMENT OF PUBLIC SAFETY PURSUANT TO
6 SUBSECTION N OF THIS SECTION AND PROVIDES ADEQUATE DOCUMENTATION THAT THE
7 AUTHORIZED TRAINING PROGRAM WAS SATISFACTORILY COMPLETED. FOR THE PURPOSES
8 OF THIS PARAGRAPH, "ADEQUATE DOCUMENTATION" MEANS:

9 (a) A CERTIFICATE, CARD OR DOCUMENT OF COMPLETION FROM A FIREARMS
10 SAFETY TRAINING PROGRAM AUTHORIZED PURSUANT TO SUBSECTION N OF THIS
11 SECTION THAT IS DATED NOT MORE THAN FIVE YEARS EARLIER THAN THE DATE OF
12 APPLICATION AND THAT HAS AFFIXED TO IT THE STAMP, SIGNATURE OR SEAL OF THE
13 INSTRUCTOR OR ORGANIZATION THAT CONDUCTED THE PROGRAM.

14 (b) A CURRENT OR EXPIRED PERMIT ISSUED BY THE DEPARTMENT OF PUBLIC
15 SAFETY PURSUANT TO THIS SECTION.

16 (c) AN ORIGINAL OR A COPY OF A UNITED STATES DEPARTMENT OF DEFENSE
17 FORM 214 (DD-214) INDICATING AN HONORABLE DISCHARGE OR GENERAL DISCHARGE
18 UNDER HONORABLE CONDITIONS, A CERTIFICATE OF COMPLETION OF BASIC TRAINING
19 OR ANY OTHER DOCUMENT DEMONSTRATING PROOF OF THE APPLICANT'S CURRENT OR
20 FORMER SERVICE IN THE UNITED STATES ARMED FORCES.

21 (d) AN ORIGINAL OR A COPY OF A CONCEALED WEAPON, FIREARM OR HANDGUN
22 PERMIT THAT IS ISSUED BY ANOTHER STATE OR A POLITICAL SUBDIVISION OF
23 ANOTHER STATE AND THAT HAS A TRAINING OR TESTING REQUIREMENT FOR INITIAL
24 ISSUANCE PURSUANT TO SUBSECTION N OF THIS SECTION.]

25 F. The application shall be completed on a form prescribed by the
26 department of public safety. The form shall not require the applicant to
27 disclose the type of firearm for which a permit is sought. The applicant
28 shall attest under penalty of perjury that all of the statements made by
29 the applicant are true, that the applicant has been furnished a copy of
30 this chapter and chapter 4 of this title and that the applicant is
31 knowledgeable about the provisions contained in those chapters. The
32 applicant shall submit the application to the department with any
33 documentation prescribed by subsection E of this section, two sets of
34 fingerprints and a reasonable fee determined by the director of the
35 department.

36 G. On receipt of a concealed weapon permit application, the
37 department of public safety shall conduct a check of the applicant's
38 criminal history record pursuant to section 41-1750. The department of
39 public safety may exchange fingerprint card information with the federal
40 bureau of investigation for federal criminal history record checks.

41 H. The department of public safety shall complete all of the
42 required qualification checks within sixty days after receiving the
43 application and shall issue a permit within fifteen working days after
44 completing the qualification checks if the applicant meets all of the
45 conditions specified in subsection E of this section. If a permit is
46 denied, the department of public safety shall notify the applicant in
47 writing within fifteen working days after completing all of the required

1 qualification checks and shall state the reasons why the application was
2 denied. On receipt of the notification of the denial, the applicant has
3 twenty days to submit any additional documentation to the department. On
4 receipt of the additional documentation, the department shall reconsider
5 its decision and inform the applicant within twenty days of the result of
6 the reconsideration. If denied, the applicant shall be informed that the
7 applicant may request a hearing pursuant to title 41, chapter 6,
8 article 10. For the purposes of this subsection, "receiving the
9 application" means the first day that the department has physical control
10 of the application and that is presumed to be on the date of delivery as
11 evidenced by proof of delivery by the United States postal service or a
12 written receipt, which shall be provided by the department on request of
13 the applicant.

14 I. On issuance, a permit is valid for five years, except a permit
15 that is held by a member of the United States armed forces, including a
16 member of the Arizona national guard or a member of the reserves of any
17 military establishment of the United States, who is on federal active duty
18 and who is deployed overseas shall be extended until ninety days after the
19 end of the member's overseas deployment.

20 J. The department of public safety shall maintain a computerized
21 permit record system that is accessible to criminal justice agencies for
22 the purpose of confirming the permit status of any person who is contacted
23 by a law enforcement officer and who claims to hold a valid permit issued
24 by this state. This information and any other records that are maintained
25 regarding applicants, permit holders or instructors shall not be available
26 to any other person or entity except on an order from a state or federal
27 court. A criminal justice agency shall not use the computerized permit
28 record system to conduct inquiries on whether a person is a concealed
29 weapons permit holder unless the criminal justice agency has reasonable
30 suspicion to believe the person is carrying a concealed weapon and the
31 person is subject to a lawful criminal investigation, arrest, detention or
32 investigatory stop.

33 K. A permit issued pursuant to this section is renewable every five
34 years. At least sixty days before the expiration date of a permit, the
35 department of public safety shall send a renewal reminder notice and
36 renewal application form to the permit holder. Before a permit may be
37 renewed, a criminal history records check shall be conducted pursuant to
38 section 41-1750 within sixty days after receipt of the application for
39 renewal. For the purposes of permit renewal, the permit holder is not
40 required to submit additional fingerprints.

41 L. Applications for renewal shall be accompanied by a fee
42 determined by the director of the department of public safety.

43 M. The department of public safety shall suspend or revoke a permit
44 issued under this section if the permit holder becomes ineligible pursuant
45 to subsection E of this section. The department of public safety shall
46 notify the permit holder in writing within fifteen working days after the

1 revocation or suspension and shall state the reasons for the revocation or
2 suspension.

3 ~~[N. An applicant shall demonstrate competence with a firearm~~
4 ~~through any of the following:~~

5 ~~1. Completion of any firearms safety or training course or class~~
6 ~~that is available to the general public, that is offered by a law~~
7 ~~enforcement agency, a junior college, a college or a private or public~~
8 ~~institution, academy, organization or firearms training school and that is~~
9 ~~approved by the department of public safety or that uses instructors who~~
10 ~~are certified by the national rifle association.~~

11 ~~2. Completion of any hunter education or hunter safety course~~
12 ~~approved by the Arizona game and fish department or a similar agency of~~
13 ~~another state.~~

14 ~~3. Completion of any national rifle association firearms safety or~~
15 ~~training course.~~

16 ~~4. Completion of any law enforcement firearms safety or training~~
17 ~~course or class that is offered for security guards, investigators,~~
18 ~~special deputies or other divisions or subdivisions of law enforcement or~~
19 ~~security enforcement and that is approved by the department of public~~
20 ~~safety.~~

21 ~~5. Evidence of current military service or proof of honorable~~
22 ~~discharge or general discharge under honorable conditions from the United~~
23 ~~States armed forces.~~

24 ~~6. A valid current or expired concealed weapon, firearm or handgun~~
25 ~~permit or license that is issued by another state or a political~~
26 ~~subdivision of another state and that has a training or testing~~
27 ~~requirement for initial issuance.~~

28 ~~7. Completion of any governmental police agency firearms training~~
29 ~~course and qualification to carry a firearm in the course of normal police~~
30 ~~duties.~~

31 ~~8. Completion of any other firearms safety or training course or~~
32 ~~class that is conducted by a department of public safety approved or~~
33 ~~national rifle association certified firearms instructor.]~~

34 [N. AN ORGANIZATION SHALL APPLY TO THE DEPARTMENT OF PUBLIC SAFETY
35 FOR AUTHORIZATION TO PROVIDE FIREARMS SAFETY TRAINING. THE DEPARTMENT
36 SHALL AUTHORIZE AN ENTITY TO PROVIDE FIREARMS SAFETY TRAINING IF THE
37 TRAINING MEETS ALL OF THE FOLLOWING REQUIREMENTS:

38 1. IS AT LEAST EIGHT HOURS IN LENGTH.

39 2. IS CONDUCTED ON A PASS OR FAIL BASIS.

40 3. ADDRESSES ALL OF THE FOLLOWING TOPICS IN A FORMAT APPROVED BY
41 THE DIRECTOR OF THE DEPARTMENT:

42 (a) LEGAL ISSUES RELATING TO THE USE OF DEADLY FORCE.

43 (b) WEAPON CARE AND MAINTENANCE.

44 (c) MENTAL CONDITIONING FOR THE USE OF DEADLY FORCE.

45 (d) SAFE HANDLING AND STORAGE OF WEAPONS.

46 (e) MARKSMANSHIP.

47 (f) JUDGMENTAL SHOOTING.

1 (g) LIVE FIRING OF THE FIREARM UNDER THE SUPERVISION OF A QUALIFIED
2 INSTRUCTOR.

3 4. IS CONDUCTED BY INSTRUCTORS WHO ARE AUTHORIZED BY THE DEPARTMENT
4 OF PUBLIC SAFETY AND WHO SUBMIT TO A BACKGROUND INVESTIGATION, INCLUDING A
5 CHECK FOR WARRANTS AND A CRIMINAL HISTORY RECORDS CHECK.

6 O. IF AUTHORIZED PURSUANT TO SUBSECTION N OF THIS SECTION, THE
7 ORGANIZATION ON BEHALF OF EACH OF ITS INSTRUCTORS SHALL SUBMIT TO THE
8 DEPARTMENT OF PUBLIC SAFETY TWO SETS OF FINGERPRINTS AND A FEE TO BE
9 DETERMINED BY THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY. ON RECEIPT
10 OF THE FINGERPRINTS AND FEE, THE DEPARTMENT OF PUBLIC SAFETY SHALL CONDUCT
11 A CHECK OF EACH INSTRUCTOR'S CRIMINAL HISTORY RECORD PURSUANT TO SECTION
12 41-1750. THE DEPARTMENT OF PUBLIC SAFETY MAY EXCHANGE THIS FINGERPRINT
13 CARD INFORMATION WITH THE FEDERAL BUREAU OF INVESTIGATION FOR FEDERAL
14 CRIMINAL HISTORY RECORD CHECKS.

15 P. IF THE DEPARTMENT OF PUBLIC SAFETY REJECTS A PROGRAM, THE
16 REJECTED ORGANIZATION MAY REQUEST A HEARING PURSUANT TO TITLE 41, CHAPTER
17 6, ARTICLE 10.]

18 ~~[O.]~~ [Q.] The department of public safety shall maintain
19 information comparing the number of permits requested, the number of
20 permits issued and the number of permits denied. The department shall
21 annually report this information electronically to the governor and the
22 legislature.

23 ~~[P.]~~ [R.] The director of the department of public safety shall
24 adopt rules for the purpose of implementing and administering ~~[this~~
25 ~~section]~~ [THE CONCEALED WEAPONS PERMIT PROGRAM] including fees relating to
26 permits that are issued pursuant to this section.

27 ~~[O.]~~ [S.] This state and any political subdivision of this state
28 shall recognize a concealed weapon, firearm or handgun permit or license
29 that is issued by another state or a political subdivision of another
30 state if both:

31 1. The permit or license is recognized as valid in the issuing
32 state.

33 2. The permit or license holder is all of the following:

34 (a) Legally present in this state.

35 (b) Not legally prohibited from possessing a firearm in this state.

36 ~~[R.]~~ [T.] For the purpose of establishing mutual permit or license
37 recognition with other states, the department of public safety shall enter
38 into a written agreement if another state requires a written agreement.
39 The department of public safety shall submit an electronic report to the
40 governor and the legislature each year that includes any changes that were
41 made in the previous year to a written agreement with another state.

42 ~~[S.]~~ [U.] Notwithstanding the provisions of this section, a person
43 with a concealed weapons permit from another state may not carry a
44 concealed weapon in this state if the person is under twenty-one years of
45 age or is under indictment for, or has been convicted of, a felony offense
46 in any jurisdiction, unless that conviction is expunged, set aside or

1 vacated or the person's rights have been restored and the person is
2 currently not a prohibited possessor under state or federal law.

3 ~~[F.]~~ ~~[V.]~~ The department of public safety may issue certificates
4 of firearms proficiency according to the Arizona peace officer standards
5 and training board firearms qualification for the purposes of implementing
6 the law enforcement officers safety act of 2004 (P.L. 108-277; 118 Stat.
7 865; 18 United States Code sections 926B and 926C). A law enforcement or
8 prosecutorial agency shall issue to a qualified retired law enforcement
9 officer who has honorably retired a photographic identification that
10 states that the officer has honorably retired from the agency. A person
11 who was a municipal, county or state prosecutor is deemed to meet the
12 qualifications of 18 United States Code section 926C(c)(2). The chief law
13 enforcement officer shall determine whether an officer has honorably
14 retired and the determination is not subject to review. A law enforcement
15 or prosecutorial agency has no obligation to revoke, alter or modify the
16 honorable discharge photographic identification based on conduct that the
17 agency becomes aware of or that occurs after the officer has separated
18 from the agency. For the purposes of this subsection, "qualified retired
19 law enforcement officer" has the same meaning prescribed in 18 United
20 States Code section 926C.

21 ~~[G.]~~ ~~[W.]~~ The initial and renewal application fees collected
22 pursuant to this section shall be deposited, pursuant to sections 35-146
23 and 35-147, in the concealed weapons permit fund established by section
24 41-1722.

25 ~~[V.]~~ ~~[X.]~~ On or before July 31 of each year, the department of
26 public safety shall report to the joint legislative budget committee on
27 the number of concealed weapons permits issued in the prior fiscal
28 year. The report shall also include the number of outstanding concealed
29 weapons permit applications that have not been issued and the average
30 turnaround time to issue a concealed weapons permit.>>

31 <<Sec. 9. Section 13-3118, Arizona Revised Statutes, is amended to
32 read:

33 13-3118. Possession, transfer or storage of firearms;
34 restrictions prohibited; exceptions

35 A. Except for the legislature, this state and any agency or
36 political subdivision of this state shall not enact or implement any law,
37 rule or ordinance relating to the possession, transfer or storage of
38 firearms other than as provided in statute.

39 B. This section does not prohibit:

40 1. A state, county or municipal judicial department, law
41 enforcement agency or prosecutorial agency from prohibiting a deadly
42 weapon pursuant to section 13-3102, subsection A, paragraph ~~[10]~~ [11].

43 2. A political subdivision of this state from enacting any rule or
44 ordinance requiring a business that obtains a secondhand firearm by
45 purchase, trade or consignment to retain the firearm for a period of not
46 more than ten days at its place of business or another storage location
47 that is approved by the applicable law enforcement agency.>>

1 <<Sec. 10. Section 13-4401.01, Arizona Revised Statutes, is amended
2 to read:

3 13-4401.01. Victims' rights for neighborhood associations

4 A. A neighborhood association may register with the city, town or
5 county in which the neighborhood association is located to invoke the
6 rights that are afforded pursuant to this ~~[article]~~ [CHAPTER]. The city,
7 town or county shall establish procedures for the registration of
8 neighborhood associations pursuant to this section. The procedures shall
9 require the neighborhood association to provide to the city, town or
10 county the name and telephone number of one person who shall act on behalf
11 of the neighborhood association and who may receive notice or invoke
12 rights pursuant to this section. The neighborhood association shall
13 notify the city, town or county of any changes to this information. If
14 the neighborhood association fails to keep this information current, the
15 neighborhood association is deemed to have waived its rights under this
16 section.

17 B. Notwithstanding any law to the contrary, if a person commits an
18 act in violation of section 13-1602, subsection A, paragraph 5, section
19 13-3102, subsection A, paragraph ~~[9]~~ [10], section 13-3201 or 13-3204,
20 section 13-3208, subsection B or section 13-3209, 13-3405, 13-3407,
21 13-3408, 13-3409, 13-3421 or 13-4702, a neighborhood association that is
22 registered with a city, town or county pursuant to subsection A of this
23 section may receive notice or may invoke rights pursuant to the following
24 sections:

- 25 1. Section 13-4409.
- 26 2. Section 13-4420.
- 27 3. Section 13-4426.

28 C. Sections 13-4428, 13-4434 and 13-4436 apply to all matters in
29 which a neighborhood association invokes rights under this section.

30 D. If the neighborhood association wishes to invoke victims' rights
31 for a crime as prescribed in subsection B of this section that resulted in
32 an arrest, the person who is registered with the city, town or county
33 pursuant to subsection A of this section shall contact the law enforcement
34 agency responsible for the arrest. The law enforcement agency shall fill
35 out the form prescribed by section 13-4405. Thereafter the neighborhood
36 association, through the contact person, shall be afforded all of the
37 rights listed under subsection B of this section.>>

38 <<Sec. 11. Section 13-4903, Arizona Revised Statutes, is amended to
39 read:

40 13-4903. Use of force; armed nuclear security guards

41 A. An armed nuclear security guard is justified in using physical
42 force against another person at a commercial nuclear generating station or
43 structure or fenced yard of a commercial nuclear generating station if the
44 armed nuclear security guard reasonably believes that such force is
45 necessary to prevent or terminate the commission or attempted commission
46 of criminal damage under section 13-1602, subsection A, paragraph 3 and
47 subsection B, paragraph 1 or 2, misconduct involving weapons under section

1 13-3102, subsection A, paragraph ~~[13]~~ [14] or criminal trespass on a
2 commercial nuclear generating station under section 13-4902.

3 B. Notwithstanding sections 13-403, 13-404, 13-405, 13-406, 13-408,
4 13-409, 13-410 and 13-411, an armed nuclear security guard is justified in
5 using physical force up to and including deadly physical force against
6 another person at a commercial nuclear generating station or structure or
7 fenced yard of a commercial nuclear generating station if the armed
8 nuclear security guard reasonably believes that such force is necessary
9 to:

10 1. Prevent the commission of manslaughter under section 13-1103,
11 second or first degree murder under section 13-1104 or 13-1105, aggravated
12 assault under section 13-1204, subsection A, paragraph 1 or 2, kidnapping
13 under section 13-1304, burglary in the second or first degree under
14 section 13-1507 or 13-1508, arson of a structure or property under section
15 13-1703, arson of an occupied structure under section 13-1704, armed
16 robbery under section 13-1904 or an act of terrorism under section
17 13-2308.01.

18 2. Defend oneself or a third person from the use or imminent use of
19 deadly physical force.

20 C. Notwithstanding any other provision of this chapter, an armed
21 nuclear security guard is justified in threatening to use physical or
22 deadly physical force if and to the extent a reasonable armed nuclear
23 security guard believes it necessary to protect oneself or others against
24 another person's potential use of physical force or deadly physical force.

25 D. An armed nuclear security guard is not subject to civil
26 liability for engaging in conduct that is otherwise justified pursuant to
27 this chapter.>>

28 <<Sec. 12. Section 13-4904, Arizona Revised Statutes, is amended to
29 read:

30 13-4904. Detention authority; armed nuclear security guards

31 A. An armed nuclear security guard, with reasonable belief, may
32 detain in or on a commercial nuclear generating station or a structure or
33 fenced yard of a commercial nuclear generating station in a reasonable
34 manner and for a reasonable time any person who is suspected of committing
35 or attempting to commit manslaughter under section 13-1103, second or
36 first degree murder under section 13-1104 or 13-1105, aggravated assault
37 under section 13-1204, subsection A, paragraph 1 or 2, kidnapping under
38 section 13-1304, burglary in the second or first degree under section
39 13-1507 or 13-1508, criminal damage under section 13-1602, subsection A,
40 paragraph 3 and subsection B, paragraph 1 or 2, arson of a structure or
41 property under section 13-1703, arson of an occupied structure under
42 section 13-1704, armed robbery under section 13-1904, an act of terrorism
43 under section 13-2308.01, misconduct involving weapons under section
44 13-3102, subsection A, paragraph ~~[13]~~ [14] or criminal trespass on a
45 commercial nuclear generating station under section 13-4902 for the
46 purpose of summoning a law enforcement officer.

1 B. Reasonable belief of an armed nuclear security guard is a
2 defense to a civil or criminal action against an armed nuclear security
3 guard for false arrest, false or unlawful imprisonment or wrongful
4 detention.>>

5 <<Sec. 13. Section 15-515, Arizona Revised Statutes, is amended to
6 read:

7 15-515. Duty to report violations occurring on school
8 premises

9 All school personnel who observe a violation of section 13-3102,
10 subsection A, paragraph [~~12~~] [13] or section 13-3111 on school premises
11 shall immediately report the violation to the school administrator. The
12 administrator shall immediately report the violation to a peace
13 officer. The peace officer shall report this violation to the department
14 of public safety for inclusion in the statewide and federal uniform crime
15 reports prescribed in section 41-1750, subsection A, paragraph 2.>>

16 Enroll and engross to conform

17 Amend title to conform

AARON MÁRQUEZ

1020FloorMÁRQUEZ.docx

03/19/2025

5:18 PM

C: AS