

REFERENCE TITLE: **teachers; fingerprinting**

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SB 1528

Introduced by
Senator Gray C

AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-105; MAKING AN APPROPRIATION; RELATING TO FINGERPRINTING OF TEACHERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 1, article 1, Arizona Revised Statutes,
3 is amended by adding section 15-105, to read:

4 15-105. Additional fingerprinting requirements

5 IN ADDITION TO THE OTHER FINGERPRINTING REQUIREMENTS PRESCRIBED IN THIS
6 TITLE, APPLICANTS WHO APPLY FOR NEW TEACHING CERTIFICATES IN ORDER TO TEACH
7 IN SCHOOL DISTRICTS, APPLICANTS WHO APPLY FOR RENEWALS OF EXISTING TEACHING
8 CERTIFICATES IN ORDER TO CONTINUE TEACHING IN SCHOOL DISTRICTS, APPLICANTS
9 WHO ARE REQUIRED FOR THE FIRST TIME TO BE FINGERPRINTED IN ORDER TO TEACH IN
10 CHARTER SCHOOLS AND APPLICANTS WHO ARE REQUIRED TO RENEW FINGERPRINTS IN
11 ORDER TO CONTINUE TEACHING IN CHARTER SCHOOLS AFTER DECEMBER 31, 2007 SHALL
12 APPLY FOR AN IDENTITY VERIFIED FINGERPRINT CARD THAT IS ISSUED PURSUANT TO
13 TITLE 41, CHAPTER 12, ARTICLE 3.1 AS FOLLOWS:

14 1. THE APPLICANT SHALL SUBMIT A REQUEST FOR AN APPLICATION PACKET FROM
15 THE DEPARTMENT OF PUBLIC SAFETY.

16 2. THE APPLICATION PACKET SHALL BE CONTAINED IN AN ENVELOPE SPECIFIED
17 BY THE DEPARTMENT OF PUBLIC SAFETY AND SHALL INCLUDE THE FOLLOWING:

18 (a) A BLANK IDENTITY VERIFIED FINGERPRINT CARD.

19 (b) AN APPLICATION FOR AN IDENTITY VERIFIED FINGERPRINT CARD.

20 (c) INSTRUCTIONS FOR THE RETURN OF THE APPLICATION PACKET.

21 3. THE DEPARTMENT OF PUBLIC SAFETY SHALL ENSURE THE SECURITY OF THE
22 FINGERPRINTING PROCESS AND SHALL DEVELOP A PROCESS IN COOPERATION WITH LAW
23 ENFORCEMENT AGENCIES, SCHOOL DISTRICTS AND OTHER ENTITIES DESIGNATED BY THE
24 DEPARTMENT OF PUBLIC SAFETY TO ALLOW THOSE ENTITIES TO TAKE THE FINGERPRINTS
25 OF APPLICANTS WHO APPLY FOR AN IDENTITY VERIFIED FINGERPRINT CARD PURSUANT TO
26 THIS SECTION IN A MANNER SPECIFIED BY THE DEPARTMENT OF PUBLIC SAFETY. THE
27 LAW ENFORCEMENT AGENCY, SCHOOL DISTRICT OR OTHER ENTITY SHALL VERIFY THE
28 IDENTITY OF THE APPLICANT THROUGH RECOGNIZED MEANS OF PHOTOGRAPHIC
29 IDENTIFICATION. THE DEPARTMENT OF PUBLIC SAFETY SHALL DELIVER THE
30 APPLICATION PACKET TO THE LAW ENFORCEMENT AGENCY, SCHOOL DISTRICT OR OTHER
31 ENTITY DESIGNATED BY THE DEPARTMENT OF PUBLIC SAFETY. THE LAW ENFORCEMENT
32 AGENCY, SCHOOL DISTRICT OR OTHER ENTITY SHALL TAKE THE APPLICANT'S
33 FINGERPRINTS AND RETAIN CUSTODY OF THE FINGERPRINT PACKET UNTIL DELIVERY TO
34 THE DEPARTMENT OF PUBLIC SAFETY. A LAW ENFORCEMENT AGENCY, SCHOOL DISTRICT
35 OR OTHER ENTITY MAY CHARGE THE APPLICANT A REASONABLE FEE FOR SERVICES
36 PROVIDED PURSUANT TO THIS PARAGRAPH.

37 4. THE LAW ENFORCEMENT AGENCY, SCHOOL DISTRICT OR OTHER ENTITY SHALL
38 DELIVER THE COMPLETED APPLICATION PACKET IN THE ENVELOPE SPECIFIED BY THE
39 DEPARTMENT OF PUBLIC SAFETY TO THE FINGERPRINTING DIVISION IN THE DEPARTMENT
40 OF PUBLIC SAFETY.

41 5. THE DEPARTMENT OF PUBLIC SAFETY SHALL PROCESS THE APPLICATION
42 PACKET IN THE SAME MANNER PRESCRIBED FOR FINGERPRINT CLEARANCE CARDS ISSUED
43 PURSUANT TO TITLE 41, CHAPTER 12, ARTICLE 3.1.

44 6. THE DEPARTMENT OF PUBLIC SAFETY SHALL PROVIDE FOR DIGITAL STORAGE
45 OF FINGERPRINTS TAKEN PURSUANT TO THIS SECTION.

1 7. THE DEPARTMENT OF PUBLIC SAFETY SHALL PROVIDE A METHOD FOR
2 APPLICANTS TO RESUBMIT FINGERPRINTS IF THE DEPARTMENT OF PUBLIC SAFETY
3 DETERMINES THAT THE ORIGINAL FINGERPRINTS SUBMITTED HAVE BEEN LOST, DAMAGED
4 OR DESTROYED OR ARE OF INSUFFICIENT QUALITY TO BE READ.

5 Sec. 2. Appropriation; additional fingerprinting requirements;
6 exemption

7 A. The sum of \$150,000 is appropriated from the state general fund in
8 fiscal year 2007-2008 to the department of public safety in order to carry
9 out the purposes of this act.

10 B. The appropriation made in subsection A of this section is exempt
11 from the provisions of section 35-190, Arizona Revised Statutes, relating to
12 lapsing of appropriations.