

State of Arizona
House of Representatives
Fifty-third Legislature
First Regular Session
2017

HOUSE BILL 2216

AN ACT

AMENDING TITLE 13, CHAPTER 31, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3122; RELATING TO FIREARMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 13, chapter 31, Arizona Revised Statutes, is
3 amended by adding section 13-3122, to read:

4 13-3122. Unlawful use of electronic firearm tracking
5 technology; classification; definitions

6 A. IT IS UNLAWFUL TO REQUIRE A PERSON TO USE OR BE SUBJECT TO
7 ELECTRONIC FIREARM TRACKING TECHNOLOGY OR TO DISCLOSE ANY IDENTIFIABLE
8 INFORMATION ABOUT THE PERSON OR THE PERSON'S FIREARM FOR THE PURPOSE OF
9 USING ELECTRONIC FIREARM TRACKING TECHNOLOGY.

10 B. THIS SECTION DOES NOT APPLY TO ANY OF THE FOLLOWING:

11 1. A CRIMINAL JUSTICE EMPLOYEE WHO OBTAINS A SEARCH WARRANT.

12 2. A PAWNBROKER OR AN EMPLOYEE OF A PAWNSHOP, SECONDHAND DEALER OR
13 AUCTION HOUSE WHILE THE PAWNBROKER OR EMPLOYEE USES ELECTRONIC FIREARM
14 TRACKING TECHNOLOGY TO REPORT INFORMATION TO THE SHERIFF OR THE SHERIFF'S
15 DESIGNEE PURSUANT TO SECTION 44-1625 OR A SIMILAR REPORTING REQUIREMENT.

16 3. A PROBATION, PAROLE OR SURVEILLANCE OFFICER WHO SUPERVISES A
17 PERSON WHO IS SERVING A TERM OF PROBATION, COMMUNITY SUPERVISION OR
18 PAROLE.

19 4. THE OWNER OF A FIREARM IF THE OWNER CONSENTS IN WRITING TO THE
20 USE OF ELECTRONIC FIREARM TRACKING TECHNOLOGY ON THAT OWNER'S FIREARM.

21 C. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 6
22 FELONY.

23 D. FOR THE PURPOSES OF THIS SECTION:

24 1. "CRIMINAL JUSTICE EMPLOYEE" INCLUDES A PEACE OFFICER AND A
25 PROSECUTOR AND INCLUDES ANY EMPLOYEE OF A LAW ENFORCEMENT AGENCY WHO IS
26 AUTHORIZED IN THE EXECUTION OF THE EMPLOYEE'S OFFICIAL DUTIES TO USE
27 ELECTRONIC FIREARM TRACKING TECHNOLOGY OR TO OBTAIN OR DISCLOSE ANY
28 IDENTIFIABLE INFORMATION ABOUT A PERSON OR A PERSON'S FIREARM IN ORDER TO
29 USE ELECTRONIC FIREARM TRACKING TECHNOLOGY.

30 2. "ELECTRONIC FIREARM TRACKING TECHNOLOGY" MEANS A PLATFORM,
31 SYSTEM OR DEVICE OR A GROUP OF SYSTEMS OR DEVICES THAT USES A SHARED
32 LEDGER, DISTRIBUTED LEDGER OR BLOCK CHAIN TECHNOLOGY OR ANY OTHER SIMILAR
33 FORM OF TECHNOLOGY OR ELECTRONIC DATABASE FOR THE PURPOSE OF STORING
34 INFORMATION IN A DECENTRALIZED OR CENTRALIZED WAY, THAT IS NOT OWNED OR
35 CONTROLLED BY ANY SINGLE PERSON OR ENTITY AND THAT IS USED TO LOCATE OR
36 CONTROL THE USE OF A FIREARM. ELECTRONIC FIREARM TRACKING TECHNOLOGY DOES
37 NOT INCLUDE A LAW ENFORCEMENT DATABASE, INCLUDING THE ADULT PROBATION
38 ENTERPRISE TRACKING SYSTEM, THE JUVENILE ONLINE TRACKING SYSTEM, THE
39 JUSTICE WEB INTERFACE, THE ARIZONA CRIMINAL JUSTICE INFORMATION SYSTEM,
40 THE NATIONAL CRIME INFORMATION CENTER, THE NATIONAL INTEGRATED BALLISTIC
41 INFORMATION NETWORK AND A LOCAL RECORDS MANAGEMENT SYSTEM THAT IS USED TO
42 MANAGE OR PROCESS STOLEN, LOST, FOUND, STORED OR EVIDENTIARY FIREARMS.