



Bill Number: S.B. 1580
Livingston Floor Amendment
Reference to: printed bill
Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

- 1. Grants the Deputy Director of the Department of Insurance and Financial Institutions (DIFI) the authority to require the following individuals to submit a full set of fingerprints and the associated fees to DIFI before receiving a license:**
 - a. any individual in control of a licensee or applicant;**
 - b. any individual who seeks to acquire control of a licensee; or**
 - c. a key individual.**

- 2. Makes conforming changes.**

Amendment explanation prepared by Molly Graver

02/23/2022

LIVINGSTON FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1580
(Reference to printed bill)

1 Page 1, between lines 1 and 2, insert:

2 "Section 1. Section 6-123.01, Arizona Revised Statutes, is amended
3 to read:

4 6-123.01. Fingerprint requirements; fees

5 A. Before receiving and holding a license, permit, certificate or
6 permission to organize a bank, savings and loan association or credit
7 union, the deputy director may require an applicant, licensee, active
8 manager or responsible individual, ~~or~~ an organizer, director or officer of
9 any corporate applicant or licensee, **ANY INDIVIDUAL IN CONTROL OF A**
10 **LICENSEE OR APPLICANT, ANY INDIVIDUAL WHO SEEKS TO ACQUIRE CONTROL OF A**
11 **LICENSEE OR EACH KEY INDIVIDUAL** to submit a full set of fingerprints and
12 fees to the department. The department of insurance and financial
13 institutions shall submit the fingerprints and fees to the department of
14 public safety, or the nationwide mortgage licensing system and registry
15 established by the secure and fair enforcement for mortgage licensing act
16 of 2008 (P.L. 110-289; 122 Stat. 2810; 12 United States Code sections 5101
17 through 5116) or its successor, for the purpose of obtaining a state and
18 federal criminal records check pursuant to section 41-1750 and Public Law
19 92-544. The department of public safety may exchange this fingerprint data
20 with the federal bureau of investigation.

21 B. The fees that the department collects under subsection A of this
22 section shall be credited pursuant to section 35-148.

23 C. The applicant is responsible for providing the department with
24 readable fingerprints. The applicant shall pay any costs that are
25 attributable to refingerprinting due to the unreadability of any
26 fingerprints and any fees that are required for the resubmission of
27 fingerprints.

1 D. The department may issue a temporary license or certificate or
2 grant temporary permission to organize to an original applicant before the
3 department receives the results of a criminal records check if there is not
4 evidence or reasonable suspicion that the applicant has a criminal history
5 background that would be cause for denial of a license, certificate or
6 permission to organize. The department may terminate the temporary license
7 or certificate or permission to organize if a fingerprint card is returned
8 as unreadable and the applicant fails to submit new fingerprints within ten
9 days after being notified by the department that the original card was
10 unreadable or if the results of the criminal records check reveal grounds
11 for the denial of the license or certificate or permission to organize.
12 The temporary license or certificate or permission to organize shall not be
13 effective longer than one hundred eighty days.

14 E. The deputy director may require a current licensee, organizer,
15 director, active manager, responsible individual or officer of any
16 corporate licensee to submit a full set of fingerprints to the department.
17 The department of insurance and financial institutions shall submit the
18 fingerprints and fees to the department of public safety for the purpose of
19 obtaining a state and federal criminal records check pursuant to section
20 41-1750 and Public Law 92-544. The department of public safety may
21 exchange this fingerprint data with the federal bureau of investigation.

22 F. This section does not affect the department's authority to
23 otherwise issue, deny, cancel, terminate, suspend or revoke a license."

24 Renumber to conform

25 Amend title to conform

DAVID LIVINGSTON

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C: SK