

REFERENCE TITLE: AZPOST; mandatory reporting; peace officers

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HB 2307

Introduced by
Representatives Jermaine: Blackwater-Nygren, Bolding, Dalessandro,
DeGrazia, Longdon, Pawlik, Powers Hannley, Tsosie, Senator Bowie

AN ACT

**AMENDING SECTION 41-1828.01, ARIZONA REVISED STATUTES; RELATING TO THE
ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 41-1828.01, Arizona Revised Statutes, is amended
3 to read:

4 41-1828.01. Required law enforcement and prosecuting agency
5 reporting

6 A. A law enforcement agency ~~may~~ SHALL report to the board any peace
7 officer misconduct in violation of the rules for retention established
8 pursuant to section 41-1822, subsection A, paragraph 3 at any time ~~and~~
9 ~~shall report this misconduct on the peace officer's termination,~~
10 ~~resignation or separation from the agency.~~

11 B. On request of a law enforcement agency conducting a background
12 investigation of an applicant for the position of a peace officer, another
13 law enforcement agency employing, previously employing or having conducted
14 a complete or partial background investigation on the applicant shall
15 advise the requesting agency of any known misconduct in violation of the
16 rules for retention established pursuant to section 41-1822, subsection A,
17 paragraph 3.

18 C. A PROSECUTING AGENCY SHALL REPORT TO THE BOARD ANY INFORMATION
19 THAT THE PROSECUTING AGENCY HAS DETERMINED MAY CALL INTO QUESTION THE
20 CREDIBILITY OF A PEACE OFFICER AND THAT HAS BEEN DISCLOSED IN A CASE IN
21 WHICH THE PEACE OFFICER TESTIFIED PURSUANT TO THE ARIZONA RULES OF
22 CRIMINAL PROCEDURE.

23 ~~C.~~ D. Civil liability may not be imposed on either a law
24 enforcement agency, A PROSECUTING AGENCY or the board for providing
25 information specified in subsections A, ~~and~~ B AND C of this section if
26 there exists a good faith belief that the information is accurate.