

REFERENCE TITLE: peace officer misconduct; reporting

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

H. B. _____

Introduced by _____

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 to
3 read:

4 41-1828.01. Required law enforcement agency reporting

5 A. A law enforcement agency, A LAW ENFORCEMENT EMPLOYEE ASSOCIATION OR
6 A GROUP WITHIN A LAW ENFORCEMENT AGENCY THAT REPRESENTS THE INTERESTS OF
7 PEACE OFFICERS may report to the board any peace officer misconduct in
8 violation of the rules for retention established pursuant to section 41-1822,
9 subsection A, paragraph 3 at any time and shall report this misconduct on the
10 peace officer's termination, 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 a
14 complete or partial background investigation on the applicant shall advise
15 the requesting agency of any known misconduct in violation of the rules for
16 retention established pursuant to section 41-1822, subsection A, paragraph 3.

17 C. Civil liability may not be imposed on ~~either~~ a law enforcement
18 agency, A LAW ENFORCEMENT EMPLOYEE ASSOCIATION, A GROUP WITHIN A LAW
19 ENFORCEMENT AGENCY THAT REPRESENTS THE INTERESTS OF PEACE OFFICERS or the
20 board for providing information specified in subsections A and B of this
21 section if there exists a good faith belief that the information is accurate.