



ARIZONA HOUSE OF REPRESENTATIVES

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Second Regular Session

Senate: NREW DPA/SE 9-0-0-0 | 3rd Read 29-0-1-0

House: LARA DP 11-0-0-0

SB 1147: certified applicators; fingerprinting requirement

Sponsor: Senator Kerr, LD 13

Caucus & COW

Overview

Allows applicator and qualified applicator applicants to meet state and federal criminal record check requirements by providing a current fingerprint clearance card. Directs the Pest Management Division (PMD) to approve or deny a new applicator application within 120 days.

History

Reviewing Criminal Background

There are two ways under statute to review an individual's criminal background:

- 1) An individual may submit a full set of fingerprints for a state and federal criminal record check, which queries data in criminal justice databases to compile a list of crimes the individual has been charged with and the dispositions of those cases; and
- 2) An individual may submit a full set of fingerprints and information for a fingerprint clearance card. This card will be issued if the individual has no record of a precluding offense such as abuse of a vulnerable adult or child. After the card is issued, the individual's criminal record will periodically be reviewed. The card will be suspended if the individual must register as a sex offender or is arrested for a precluding offense and will be revoked if the individual is convicted of such an offense ([A.R.S. § 41-1750 et seq.](#)).

Pest Applicators and Criminal Records Checks

The PMD, which is within the Department of Agriculture (Department), regulates pest management services that control pests such as weeds and wood-destroying insects in and around structures. It licenses applicators who provide pest management services and qualified applicators, who are applicators responsible for training, equipping and supervising all applicators of a business or school district (A.R.S. §§ [3-102](#) and [3-3601](#)).

An applicant must be of good moral character to be certified. A conviction for a felony or misdemeanor involving moral turpitude can demonstrate a lack of good moral character ([R3-8-203\(B\)](#) and [R3-8-204\(E\)](#)).

Until last year, only qualified applicator applicants were required to submit a full set of fingerprints for a state and federal criminal record check. However, [Laws 2021, Chapter 283](#) required those who apply to become applicators to undergo this same criminal record check.

Provisions

1. Allows new applicator or new qualified applicator applicants to meet the state and federal criminal records check requirements by submitting a current fingerprint clearance card to the Department as part of their applications. (Sec. 1)
2. Directs the PMD to approve or deny a new applicator application within 120 days of when the application is received until June 30, 2023. (Sec. 2)
3. Contains an emergency clause. (Sec. 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input checked="" type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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