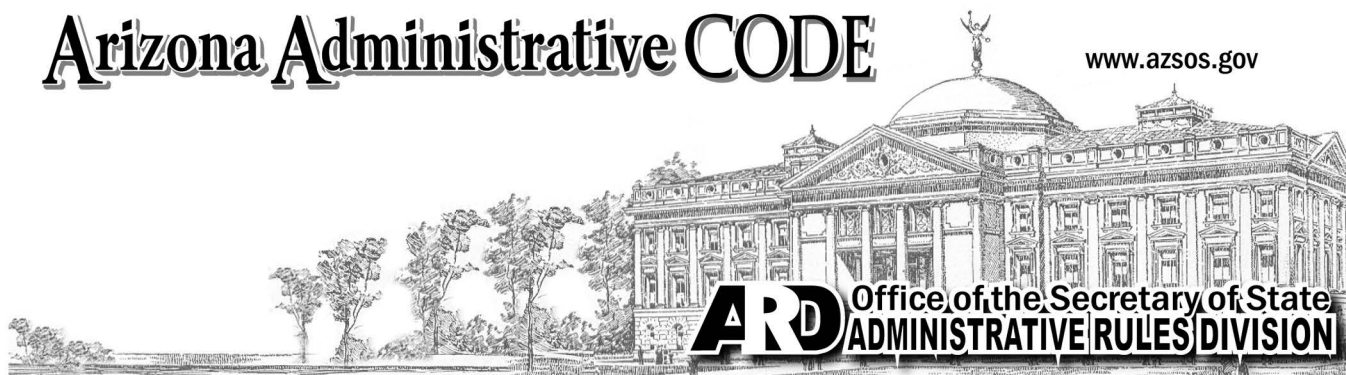




TITLE 13. PUBLIC SAFETY
CHAPTER 14. CONSTABLE ETHICS, STANDARDS AND TRAINING BOARD
13 A.A.C. 14

Supplement Information
Supp. 25-3

Rules codified between July 1, 2025 through September 30, 2025 are underlined in this Chapter's table of contents.

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The release of this Chapter in Supp. 25-3 replaces Supp. 18-2, 1-4 pages.

Please note that the Chapter you are about to replace may have rules still in effect after the publication date of this supplement. Therefore, all superseded material should be retained in a separate binder and archived for future reference.

PREFACE

Under Arizona law, the Department of State, Office of the Secretary of State (Office), Administrative Rules Division, accepts state agency rule notice and other legal filings and is the publisher of Arizona rules. The Office of the Secretary of State does not interpret or enforce rules in the *Administrative Code*. Questions about rules should be directed to the state agency responsible for the promulgation of the rule.

Scott Cancelosi, Director
ADMINISTRATIVE RULES DIVISION

RULES

The definition for a rule is provided for under A.R.S. § 41-1001. “*Rule*’ means an agency statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedures or practice requirements of an agency.”

THE ADMINISTRATIVE CODE

The *Arizona Administrative Code* is where the official rules of the state of Arizona are published. The *Code* is the official codification of rules that govern state agencies, boards, and commissions.

The *Code* is separated by subject into Titles. Titles are divided into Chapters. A Chapter includes state agency rules. Rules in Chapters are divided into Articles, then Sections. The “R” stands for “rule” with a sequential numbering and lettering outline separated into subsections.

Rules are codified quarterly in the *Code*. Supplement release dates are printed on the footers of each Chapter.

First Quarter: January 1 - March 31
Second Quarter: April 1 - June 30
Third Quarter: July 1 - September 30
Fourth Quarter: October 1 - December 31

For example, the first supplement for the first quarter of 2025 is cited as Supp. 25-1. Supplements are traditionally released three to four weeks after the end of the quarter because filings are accepted until the last day of the quarter.

Please note: The Office publishes by Chapter, not by individual rule Section. Therefore there might be only a few Sections codified in each Chapter released in a supplement. The Office links to these codified Sections in the Table of Contents of this Chapter.

RULE HISTORY

Refer to the HISTORICAL NOTE at the end of each Section for the effective date of a rule. The note also includes the *Register* volume and page number in which the notice was published (A.A.R.) and beginning in supplement 21-4, the date the notice was published in the *Register*.

AUTHENTICATION OF PDF CODE CHAPTERS

The Office began to authenticate Chapters of the *Code* in Supp. 18-1 to comply with A.R.S. §§ 41-1012(B) and A.R.S. § 41-5505.

A certification verifies the authenticity of each *Code* Chapter posted as it is released by the Office of the Secretary of State. The authenticated pdf of the *Code* includes an integrity mark with a certificate ID. Users should check the validity of the signature, especially if the pdf has been downloaded. If the digital signature is invalid it means the document’s content has been compromised.

HOW TO USE THE CODE

Rules may be in effect before a supplement is released by the Office. Therefore, the user should refer to issues of the *Arizona Administrative Register* for recent updates to rule Sections.

ARIZONA REVISED STATUTE REFERENCES

The Arizona Revised Statutes (A.R.S.) are available online at the Legislature’s website, www.azleg.gov. An agency’s authority note to make rules is often included at the beginning of a Chapter. Other Arizona statutes may be referenced in rule under the A.R.S. acronym.

SESSION LAW REFERENCES

Arizona Session Law references in a Chapter can be found at the Secretary of State’s website, www.azsos.gov under Services-> Legislative Filings.

EXEMPTIONS FROM THE APA

It is not uncommon for an agency to be exempt from the steps outlined in the rulemaking process as specified in the Arizona Administrative Procedures Act, also known as the APA (Arizona Revised Statutes, Title 41, Chapter 6, Articles 1 through 10). Other agencies may be given an exemption to certain provisions of the Act.

An agency’s exemption is written in law by the Arizona State Legislature or under a referendum or initiative passed into law by Arizona voters.

When an agency files an exempt rulemaking package with our Office it specifies the law exemption in what is called the preamble of rulemaking. The preamble is published in the *Register* online at www.azsos.gov/rules, click on the *Administrative Register* link.

Editor’s notes at the beginning of a Chapter provide information about rulemaking Sections made by exempt rulemaking. Exempt rulemaking notes are also included in the historical note at the end of a rulemaking Section.

The Office makes a distinction to certain exemptions because some rules are made without receiving input from stakeholders or the public. Other exemptions may require an agency to propose exempt rules at a public hearing.

PERSONAL USE/COMMERCIAL USE

This Chapter is posted as a public courtesy online, and is for private use only. Those who wish to use the contents for resale or profit should contact the Office about Commercial Use fees. For information on commercial use fees review A.R.S. § 39-121.03 and 1 A.A.C. 1, R1-1-113.

Rhonda Paschal, rules managing editor, assisted with the editing of this Chapter.

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Administrative Rules Division

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ARTICLE 1. GENERAL PROVISIONS

R13-14-101. Definitions

In this Chapter, unless the context requires otherwise:

“Board” means the Constable Ethics, Standards, and Training Board established under A.R.S. § 22-136(A).

“Business day” means the hours between 8:00 a.m. and 5:00 p.m. Monday through Friday, except for state holidays.

“Case” means administrative action initiated by a written complaint.

“Complainant” means a person, other than the Board, that files a complaint regarding a constable.

“Constable” means an individual elected under A.R.S. § 22-102 and any deputy constable appointed, employed, or authorized by the county board of supervisors.

“Final administrative decision” has the meaning specified at A.R.S. § 41-1092.

“For cause” means a reason for disciplinary action under A.R.S. Title 22, Chapter 1, Article 3, or this Chapter.

“Just cause” means the standard the Board will meet before taking disciplinary action against a constable. Just cause involves all of the following:

The constable had notice of the required conduct,

The required conduct is reasonable,

The constable was provided due process,

There was a preponderance of evidence establishing the conduct leading to disciplinary action occurred,

The Board took similar disciplinary action against others with similar conduct,

The disciplinary action is not excessive, and

The disciplinary action is reasonable related to the seriousness of the conduct.

“Party” has the meaning specified at A.R.S. § 41-1001.

“Person” has the meaning specified at A.R.S. § 1-215.

“Respondent” means a constable against whom a complaint is filed.

Historical Note

New Section made by final rulemaking at 24 A.A.R. 1518, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 31 A.A.R. 3058 (September 26, 2025), effective November 2, 2025 (Supp. 25-3).

R13-14-102. Conduct of the Board

- A. Board members shall elect the officers specified under A.R.S. § 22-136(B) annually. An individual elected as an officer may serve successive terms without limit.
- B. The Board shall comply with A.R.S. Title 38, Chapter 3, Article 3.1 regarding open meetings. A person that wishes to have an item placed on the agenda of the Board for discussion and action shall submit the item in writing to the Board at least 48 hours before the Board meeting.
- C. A Board member present at a Board meeting in real time by telephone or other electronic means is present for the purpose of determining a quorum.
- D. Board members shall comply with A.R.S. Title 38, Chapter 3, Article 8 regarding conflicts of interest.

Historical Note

New Section made by final rulemaking at 24 A.A.R. 1518, effective June 30, 2018 (Supp. 18-2).

R13-14-103. Constable Code of Conduct

- A. A constable shall:
 1. Comply with all federal, state, and local law;
 2. Act in a manner that promotes public confidence in the constable’s office;
 3. Be honest and conscientious in all professional and personal interactions;
 4. Avoid a conflict of interest, including the appearance of a conflict of interest, in the performance of constable duties;
 5. Perform constable duties without:
 - a. Bias or prejudice; and
 - b. Regard for kinship, social or economic status, political interests, public opinion, or fear of criticism or reprisal;
 6. Maintain accurate public information regarding the performance of the constable’s duties including the daily activity log required under A.R.S. § 11-445. If a deputy constable is not required to maintain a daily activity log, the elected constable with whom the deputy constable works shall maintain the log of the deputy constable’s daily activity;
 7. Provide complete and accurate answers to questions regarding court and other procedures available to an individual who comes in contact with the constable’s office;
 8. Act at all times in a manner appropriate for an elected public official;
 9. Be courteous, patient, and respectful toward all individuals who come in contact with the constable’s office;
 10. Inform an individual who asks for legal advice that as a matter of law, a constable is not allowed to give legal advice while performing the constable’s official duties; and
 11. Comply with all training requirements relating to being a constable.
- B. A constable shall not:
 1. Use or attempt to use the constable position to obtain a privilege or exemption for the constable or any other person;
 2. Use public funds, property, or other resources for a private or personal purpose;
 3. Solicit or accept a gift or favor from any person known to do business with an Arizona justice court;
 4. Solicit or accept payment other than mandated compensation for providing assistance that is part of an official duty;
 5. Use words or engage in other conduct that a reasonable person would believe reflects bias or prejudice based on race, gender, religion, national origin, disability, age, sexual orientation, or socioeconomic status;
 6. Disclose confidential information received in the course of performing an official duty unless disclosure is required by law;
 7. Use information received in the course of performing an official duty for personal gain or advantage; or
 8. Engage in retaliatory behavior against a person that files a complaint under R13-14-201.

Historical Note

New Section made by final rulemaking at 24 A.A.R. 1518, effective June 30, 2018 (Supp. 18-2). Amended by

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final rulemaking at 31 A.A.R. 3058 (September 26, 2025), effective November 2, 2025 (Supp. 25-3).

ARTICLE 2. COMPLAINTS; HEARINGS; DISCIPLINARY ACTION

R13-14-201. Filing a Complaint; Jurisdiction

- A. A person may submit to the Board a written complaint regarding a constable using the complaint form on the Board's website. A written complaint may be submitted in person at the Board office or by U.S. Postal Service or email. The complainant shall include facts that allege the constable failed to comply fully with A.R.S. Title 22, Chapter 1, Article 3, or R13-14-103 within the last four years. The complainant may include with the complaint any documents or other evidence relevant to the complaint.
- B. If the Board finds after a hearing that a complainant is a vexatious litigant, as defined at A.R.S. § 12-3201, the Board may take the same action with regard to the complainant as the Superior Court would be allowed to take under A.R.S. § 12-3201.
- C. Following receipt of a complaint submitted under subsection (A), the Board shall complete an initial investigative review within 10 business days. At the monthly Board meeting following the initial investigative review of the written complaint, the Board shall:
 1. Determine the complaint is within the Board's jurisdiction if the complaint meets the standards in subsection (A). If the Board determines the complaint is within the Board's jurisdiction, the Board shall process the complaint as described in R13-14-202.
 2. Determine the complaint is not within the Board's jurisdiction if the complaint does not meet the standards in subsection (A). During the meeting at which the Board determines the complaint is not within the Board's jurisdiction, the Board shall dismiss the complaint and provide notice to the complainant and the respondent.
 3. At the request of at least one Board member, determine additional information is needed and instruct Board staff to continue an investigation of the complaint. When the additional information is obtained, the Board shall act under subsection (C)(1) or (C)(2).
- D. The Board shall not release a written complaint or investigative report to the public until the Board makes a determination under subsection (C)(1) or (C)(2) or issues a final administrative decision regarding the complaint. Before allowing review of a complaint investigative file, the Board shall redact information as prescribed by law.
- E. If the Board obtains information the Board believes may indicate a constable failed to comply fully with A.R.S. Title 22, Chapter 1, Article 3, or R13-14-103 within the last four years, the Board may initiate a complaint against the constable and process the complaint as described in R13-14-202.

Historical Note

New Section made by final rulemaking at 24 A.A.R. 1518, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 31 A.A.R. 3058 (September 26, 2025), effective November 2, 2025 (Supp. 25-3).

R13-14-202. Complaint Processing

- A. Following the meeting at which the Board determines a complaint is within the Board's jurisdiction, as described under R13-14-201, the Board shall send notice to the respondent and:
 1. A copy of the complaint received, including any documents or other evidence included with the complaint form; and
 2. A request that the respondent submit a written response to the allegations in the complaint within 45 days after the date on the notice.

- B. Following receipt of the written response requested under subsection (A)(2) or 45 days after providing notice under subsection (A), the Board shall complete an investigative review of the written response within 10 business days. At the monthly Board meeting following completion of the investigative review of the written response, the Board may:
 1. Determine additional investigation is needed,
 2. Dismiss the complaint, or
 3. Determine just cause exists for one of the following actions:
 - a. Discipline specified under A.R.S. § 22-137(A)(5).
 - b. Referral to the presiding judge of the county the respondent is serving, as authorized under A.R.S. § 22-131(A), or
 - c. Referral to the county attorney of the county the respondent is serving, as authorized under A.R.S. § 22-137(C).
- C. Notice of action.
 1. If the Board determines there is just cause to take action as described under subsection (B)(3), the Board shall notify the respondent of the Board's determination. The Board shall ensure the notice specifies the cause for the action and serve the notice as required by A.R.S. § 41-1092.04.
 2. If the Board determines the complaint is without merit and dismisses it under subsection (B)(2), the Board shall notify the respondent the complaint did not indicate the respondent failed to comply fully with A.R.S. Title 22, Chapter 1, Article 3 or R13-14-103, as required under R13-14-201(A), and will not be disclosed by the Board as a complaint against the respondent.
- D. A respondent may contest the Board's determination of just cause within 30 days after receiving the notice of action provided under subsection (C)(1). To contest the determination of just cause, the respondent shall advise the Board in writing and request a hearing. If the respondent fails to file a written request for hearing within 30 days after receiving the notice of action, the respondent waives the right to a hearing and the Board may consider the case based on available information.

Historical Note

New Section made by final rulemaking at 24 A.A.R. 1518, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 31 A.A.R. 3058 (September 26, 2025), effective November 2, 2025 (Supp. 25-3).

R13-14-203. Hearing Procedures

- A. If a respondent requests a hearing in the time and manner specified under R13-14-202(D), the Board may elect to:
 1. Have the hearing conducted by the Office of Administrative Hearings, as described under A.R.S. § 41-1092.01(J); or
 2. Conduct the hearing according to A.R.S. §§ 22-137(B)(5) and 41-1092.01(F).
- B. If the respondent requests a hearing but fails to appear at the scheduled hearing, the Administrative Law Judge or the Board may deem the failure to appear as an admission of the acts and violations alleged in the notice of action and take disciplinary action authorized under R13-14-202(B).

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C. General hearing procedures.

1. The Board shall notify all parties of the date, time, and location of the hearing.
2. The Board has the burden of proof at the hearing. The Board shall establish by a preponderance of the evidence that the Board has just cause before the Board disciplines the respondent.
3. The Board shall sit as a whole at a hearing unless a Board member declares a conflict or is unable to attend. Only a Board member who is present during the hearing may participate in making the decision.
4. The Board shall take the actions authorized under A.R.S. § 22-137(B)(5), as applicable, to facilitate the hearing.
5. The party that asks the Board to issue a subpoena shall pay all expenses associated with the subpoena including, except as specified in subsection (C)(6), the witness fee and mileage allowed under A.R.S. § 12-303.
6. A county official or other employee who appears as a hearing witness while on duty is not entitled to the witness fee and mileage allowed under A.R.S. § 12-303.

D. Discovery.

1. The Board shall provide the respondent with a complete copy of the investigative file within three business days after the respondent requests a hearing under R13-14-202(D). The Board shall include the names and mailing addresses of all persons interviewed during the investigation. The Board is not required to provide a copy of hand-written notes if the content of the hand-written notes is incorporated into the investigative file.
2. The respondent shall provide the Board with a copy of all material relating to the respondent's defense within 10 days after the respondent receives the copy of the investigative file.
3. After the initial exchange of discovery required under subsections (D)(1) and (2), each party shall provide the other party with a copy of all new material relating to the case within 10 days after the new material is received.
4. No later than 15 business days before the scheduled hearing, the parties shall exchange copies of all documents that may be introduced at the hearing and have not been previously disclosed.
5. No later than 10 business days before the scheduled hearing, the parties shall exchange the names of all witnesses who may be called to testify.
6. No later than five business days before the scheduled hearing, each party shall provide to the Board office a copy of all documents that will be used at the hearing and a list of intended witnesses.
7. If a party fails to provide material or identify witnesses as required, the Board may preclude use of the material or witness at the hearing.

E. Witnesses.

1. A witness for one party may be interviewed by the other party only if the witness voluntarily agrees to the interview;
2. A party shall not interfere or attempt to interfere with a witness's decision regarding whether to be interviewed; and
3. A party shall not discipline, retaliate against, or threaten a witness in any way for agreeing or not agreeing to be interviewed or for testifying or providing evidence at a hearing.

F. Motions.

1. A party shall ensure a motion is made in writing, served on the opposing parties, and filed with the Board no later than 20 days before the scheduled hearing.
2. A response to a motion shall be in writing, served on the opposing parties, and filed with the Board within 10 days after service of the motion.
3. Except as provided in subsection (F)(4), the Board chair may designate one or more Board members to hear and rule on each motion.
4. A motion to dispose of the case shall be heard by all Board members who do not have a conflict or are otherwise unable to participate. A majority vote of the Board members hearing the motion to dispose of the case is required for disposal.

G. Depositions.

1. A party may make a motion for the Board to order a witness to provide a deposition.
2. The Board shall order a witness to provide a deposition if:
 - a. The witness does not reside in Arizona or is out of state; or
 - b. The witness is too ill to attend the scheduled hearing; and
 - c. The deposition is relevant to a case before the Board.
3. The party that made the motion under subsection (G)(1) shall pay all expenses associated with the deposition including, unless the witness is a county official or employee, the witness fee and mileage allowed under A.R.S. § 12-303.
4. If a deposed witness is unable to appear at the hearing, the deposition may be used in evidence by a party or the Board.

H. Open hearings.

1. The Board shall ensure all hearings are open to the public.
2. On request of a party, the Board may exclude from the hearing a witness who is not testifying.
3. The Board shall ensure witnesses excluded under subsection (H)(2) are kept separate from and not allowed to communicate with each other until all have been examined.

I. Legal counsel or representative. A party may have legal counsel or other representative appear on the party's behalf at a hearing.

1. Before a hearing begins, a party shall designate the party's legal counsel or representative, if any.
2. The Board shall advise a party without legal counsel that the party may obtain and be represented by counsel at the hearing.
3. A party may request the Board postpone a hearing to enable the party to obtain legal counsel. The Board shall postpone the hearing for a reasonable time.

J. Presentation of evidence.

1. A party may present evidence and witnesses at a hearing.
2. The Board shall exclude evidence it determines is irrelevant.

K. Settlement.

1. The parties may settle a dispute before there is a hearing.
2. If requested by the respondent, the parties may submit the terms of a settlement to the Board for approval. If the Board approves the settlement, the settlement becomes final.

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3. The Board shall not allow evidence of settlement discussion or proposed settlement agreement to be admitted against the respondent in a hearing before the Board.
- L. Final administrative decision.
 1. The Board shall issue a final decision within 20 days after the hearing ends.
 2. The Board shall ensure the final decision is written and contains findings of fact and conclusions of law supporting the decision.
 3. The Board shall include with the final decision an explanation of the respondent's right to appeal the decision and provide information regarding the appeal process.
 4. The Board shall serve the final administrative decision on all parties.

Historical Note

New Section made by final rulemaking at 24 A.A.R. 1518, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 31 A.A.R. 3058 (September 26, 2025), effective November 2, 2025 (Supp. 25-3).

R13-14-204. Disciplinary Action

If the Board determines disciplinary action under A.R.S. § 22-137(A)(5) is warranted, the Board shall consider factors including, but not limited to, the following when determining the appropriate discipline:

1. Prior disciplinary offenses;
2. Dishonest or self-serving motive;
3. Pattern and frequency of misconduct;
4. Bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the Board;
5. Submission of false evidence, false statements, or other deceptive practices during the investigative or disciplinary process;
6. Refusal to acknowledge wrongful nature of conduct; and
7. Harm caused to a member of the public.

Historical Note

New Section made by final rulemaking at 24 A.A.R. 1518, effective June 30, 2018 (Supp. 18-2).

R13-14-205. Review or Rehearing of Decision

- A. A party aggrieved by a Board order or decision may:
 1. Seek judicial review of the order or decision under A.R.S. § 12-904; or
 2. Except as provided in subsection (G), file a written motion for review or rehearing with the Board not later than 30 days after service of the order or decision. For purposes of this subsection, service is complete on personal service or five days after the date the Board order or decision was mailed to the party's last known address.
- B. A motion for rehearing or review may be amended at any time before it is ruled on by the Board. A party may file a response within 15 days after service of the motion or amended motion by any other party. The Board may require written briefs regarding the issues raised in the motion and may provide for oral argument.
- C. The Board may grant rehearing or review of a Board order or decision for any of the following causes materially affecting the moving party's rights:
 1. An irregularity in the administrative proceedings of the Board or the prevailing party or any order or abuse of discretion that caused the moving party to be deprived of a fair hearing;
 2. Misconduct of the Board or the prevailing party;

3. An accident or surprise that could not be prevented by ordinary prudence;
4. Newly discovered material evidence that could not with reasonable diligence be discovered and produced at the original hearing;
5. An error in the admission or rejection of evidence or other errors of law occurring at the administrative hearing or during the progress of the case; or
6. The order or decision is not justified by the evidence or is contrary to law.
- D. The Board may affirm or modify a Board order or decision or grant a rehearing or review to all or any of the parties, on all or part of the issues, for any of the reasons specified in subsection (C). An order granting a rehearing or review shall specify the grounds on which the rehearing or review is granted, and the rehearing or review shall cover only the matters specified.
- E. Not later than 30 days after a Board order or decision is rendered, the Board may on its own initiative order a rehearing or review of its order or decision for any reason specified in subsection (C). After giving the parties or their counsel notice and an opportunity to be heard on the matter, the Board may grant a motion for rehearing or review for a reason not stated in the motion.
- F. When a motion for rehearing or review is based on affidavits, the party shall serve the affidavits with the motion. An opposing party may, within 15 days after service, serve opposing affidavits. The Board for good cause or by written agreement of all parties may extend the period for service of opposing affidavits to a total of 20 days. Reply affidavits are permitted.
- G. If the Board finds that the immediate effectiveness of a Board order or decision is necessary to preserve public peace, health, or safety and that a rehearing or review of the Board order or decision is impracticable, unnecessary, or contrary to the public interest, the Board order or decision may be issued as a final order or decision without an opportunity for a rehearing or review. If a Board order or decision is issued as a final order or decision without an opportunity for rehearing or review, any application for judicial review of the order or decision shall be made within the time permitted for final orders or decisions.
- H. A complainant:
 1. Is not a party to:
 - a. A Board administrative action, decision, or proceeding; or
 - b. A court proceeding for judicial review of a Board decision under A.R.S. §§ 12-901 through 12-914; and
 2. Is not entitled to seek rehearing or review of a Board action or decision under this Section.

Historical Note

New Section made by final rulemaking at 24 A.A.R. 1518, effective June 30, 2018 (Supp. 18-2).

ARTICLE 3. TRAINING AND EQUIPMENT PROGRAM GRANTS**R13-14-301. Request for Grant Applications**

- A. As required under A.R.S. § 22-138, the Board makes grants for constable training and support and equipment.
- B. The Board shall issue requests for grant applications that meet the standards required under A.R.S. § 41-2702.
- C. The Board shall post the requests for grant applications on the Board's website at least six weeks before grant applications are due. The Board shall send written notice of the online availability of the requests for grant applications to all constables.

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bles and any person that has submitted a written request to receive the notice.

Historical Note

New Section made by final rulemaking at 24 A.A.R. 1518, effective June 30, 2018 (Supp. 18-2).

R13-14-302. Evaluation of Grant Applications

- A. Members of the Board shall review and evaluate each grant application in a manner consistent with A.R.S. § 41-2702. The

Board shall base the Board's decision regarding an application only on the criteria specified in the request for grant applications.

- B. The Board shall vote on each application and award grants at a public meeting.

Historical Note

New Section made by final rulemaking at 24 A.A.R. 1518, effective June 30, 2018 (Supp. 18-2).