

COMMITTEE ON JUDICIARY  
SENATE AMENDMENTS TO S.B. 1294  
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 13-1501, Arizona Revised Statutes, is amended to  
3 read:

4 13-1501. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Critical public service facility" means:

7 (a) A structure or fenced yard that is posted with signage indicating  
8 it is a felony to trespass or signage indicating high voltage or high  
9 pressure and is used by a rail, bus, air or other mass transit provider, a  
10 public or private utility, any municipal corporation, city, town or other  
11 political subdivision that is organized under state law and that generates,  
12 transmits, distributes or otherwise provides natural gas, liquefied petroleum  
13 gas, electricity or a combustible substance for a delivery system that is not  
14 a retail-only facility, a telecommunications carrier or telephone company, a  
15 municipal provider as defined in section 45-561, a law enforcement agency, a  
16 public or private fire department or an emergency medical service provider.

17 (b) A structure or fenced yard or any equipment or apparatus that is  
18 posted with signage indicating it is a felony to trespass or signage  
19 indicating high voltage or high pressure and is used to manufacture, extract,  
20 transport, distribute or store gas, including natural gas or liquefied  
21 petroleum gas, oil, electricity, water or hazardous materials, unless it is a  
22 retail-only facility.

23 2. "Enter or remain unlawfully" means an act of a person who enters or  
24 remains on premises when the person's intent for so entering or remaining is  
25 not licensed, authorized or otherwise privileged except when the entry is to  
26 commit theft of merchandise displayed for sale during normal business hours,  
27 when the premises are open to the public and when the person does not enter  
28 any unauthorized areas of the premises.

1           3. "Entry" means the intrusion of any part of any instrument or any  
2 part of a person's body inside the external boundaries of a structure or unit  
3 of real property.

4           4. "Fenced commercial yard" means a unit of real property that is  
5 surrounded completely by fences, walls, buildings or similar barriers, or any  
6 combination of fences, walls, buildings or similar barriers, and that is  
7 zoned for business operations or where livestock, produce or other commercial  
8 items are located.

9           5. "Fenced residential yard" means a unit of real property that  
10 immediately surrounds or is adjacent to a residential structure and that is  
11 enclosed by a fence, wall, building or similar barrier or any combination of  
12 fences, walls, buildings or similar barriers.

13           6. "Fenced yard" means a unit of real property that is surrounded by  
14 fences, walls, buildings or similar barriers or any combination of fences,  
15 walls, buildings or similar barriers.

16           7. "In the course of committing" means any acts that are performed by  
17 an intruder from the moment of entry to and including flight from the scene  
18 of a crime.

19           8. "Manipulation key" means a key, device or instrument, other than a  
20 key that is designed to operate a specific lock, that can be variably  
21 positioned and manipulated in a vehicle keyway to operate a lock or cylinder,  
22 including a wiggle key, jiggle key or rocker key.

23           9. "Master key" means a key that operates all the keyed locks or  
24 cylinders in a similar type or group of locks.

25           10. "Nonresidential structure" means any structure other than a  
26 residential structure and includes a retail establishment.

27           11. "Residential structure" means any structure, movable or immovable,  
28 permanent or temporary, that is adapted for both human residence and lodging  
29 whether occupied or not.

30           12. "Structure" means ANY DEVICE THAT ACCEPTS ELECTRONIC OR PHYSICAL  
31 CURRENCY AND THAT IS USED TO CONDUCT COMMERCIAL TRANSACTIONS, any vending  
32 machine or any building, object, vehicle, railroad car or place with sides  
33 and a floor that is separately securable from any other structure attached to  
34 it and that is used for lodging, business, transportation, recreation or  
35 storage.

