

**CORRECTED REFERENCE TITLE**

House Engrossed

~~unlawful masking; violation~~  
(now: unlawful masking; penalty)

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
Second Regular Session  
2026

**HOUSE BILL 2862**

AN ACT

AMENDING TITLE 13, CHAPTER 7, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-722; RELATING TO SENTENCING AND IMPRISONMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 13, chapter 7, Arizona Revised Statutes, is  
3 amended by adding section 13-722, to read:

4 13-722. Sentencing enhancement for identity concealment;  
5 definition

6 A. A PERSON WHO IS CONVICTED OF ANY OFFENSE PRESCRIBED IN THIS  
7 TITLE THAT WAS COMMITTED WHILE WEARING A MASK WITH THE INTENT TO CONCEAL  
8 THE PERSON'S IDENTITY SHALL BE SENTENCED FOR THE NEXT HIGHER CLASS OF  
9 OFFENSE THAN THAT FOR WHICH THE PERSON IS CHARGED.

10 B. THIS SECTION DOES NOT APPLY TO CLASS 1 AND CLASS 2 FELONIES.

11 C. THE ADDITIONAL SENTENCE IMPOSED PURSUANT TO THIS SECTION IS IN  
12 ADDITION TO ANY ENHANCED SENTENCE THAT MAY BE APPLICABLE AND DOES NOT  
13 PRECLUDE THE COURT FROM IMPOSING ANY OTHER SENTENCE THAT IS AUTHORIZED BY  
14 LAW.

15 D. THE COURT MAY WAIVE THE APPLICATION OF THIS SECTION AT  
16 SENTENCING IF THE COURT FINDS BY CLEAR AND CONVINCING EVIDENCE THAT THE  
17 MASK WAS WORN AS A RELIGIOUS COVERING, CONSISTENT WITH THE DEFENDANT'S  
18 SINCERELY HELD RELIGIOUS BELIEFS.

19 E. FOR THE PURPOSES OF THIS SECTION, "MASK" MEANS A COVERING THAT  
20 OBSCURES OR IS WORN OVER A PERSON'S NOSE OR MOUTH.