



**ARIZONA STATE SENATE**  
*Fifty-Fourth Legislature, First Regular Session*

FACT SHEET FOR S.B. 1292

misconduct involving weapons; classification

Purpose

Decreases criminal penalties for specified violations of misconduct involving weapons.

Background

Statute enumerates various ways that a person commits misconduct involving weapons. Punishment for misconduct involving weapons ranges from a class 2 felony to a class 3 misdemeanor, depending on the circumstances of the offense. Statute contains exceptions for persons authorized by law and peace officers, members of the military, correctional officers and other licensed professionals, in performing their official duties, for misconduct involving weapons.

A person commits misconduct involving weapons by knowingly carrying a concealed deadly weapon, except a pocket knife, in or on a means of transportation and when contacted by a law enforcement officer the person fails to accurately answer whether the person is carrying a concealed deadly weapon ([A.R.S. § 13-3102](#)). Misconduct involving weapons under this scenario is a class 1 misdemeanor.

A person commits misconduct involving weapons by knowingly entering an election polling place on the day of any election carrying a deadly weapon ([A.R.S. § 13-3102](#)). Misconduct involving weapons under this scenario is a class 1 misdemeanor.

A person commits misconduct involving weapons by knowingly entering a public establishment or attending any public event and carrying a deadly weapon after a reasonable request to remove the weapon and place it in temporary and secure storage ([A.R.S. § 13-3102](#)). Misconduct involving weapons under this scenario is a class 1 misdemeanor.

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Decreases, from a class 1 misdemeanor to a class 3 misdemeanor, the penalty for misconduct involving weapons if a person knowingly:
  - a) carries a concealed deadly weapon, except a pocket knife, in or on a means of transportation, and when contacted by a law enforcement officer, fails to accurately answer whether the person is carrying a concealed deadly weapon; or
  - b) enters an election polling place on the day of any election carrying a deadly weapon.

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2. Decreases, from a class 1 misdemeanor to a petty offense, the penalty for misconduct involving weapons if a person knowingly enters a public establishment or attends any public event and carries a deadly weapon after a reasonable request by the operator or sponsor to remove the weapon and place it in temporary and secure storage has been made.
3. Makes technical and conforming changes.
4. Becomes effective on the general effective date.

Prepared by Senate Research

February 19, 2019

JA/kja