



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

FACT SHEET FOR H.B. 2552

criminal damage; monuments; memorials; statues

Purpose

Adds defacing, damaging or tampering with a public or private monument, memorial or statue to the list of actions that constitute aggravated criminal damage.

Background

*Criminal damage* is: 1) a class 4 felony if the person recklessly damages property of another in an amount of \$10,000 or more or recklessly damages the property of a utility in an amount of \$5,000 or more; 2) a class 5 felony if the person recklessly damages property of another in an amount of \$2,000 or more but less than \$10,000; 3) a class 6 felony if the person recklessly damages property of another in an amount of \$1,000 or more but less than \$2,000; or 4) a class 1 misdemeanor in all other cases ([A.R.S. § 13-1602](#)).

*Aggravated criminal damage* is, if the person intentionally or recklessly, without express permission of the owner, defaces or damages any facility used for the purpose of burial or memorializing the dead, any place used for a religious purpose or any place used as a school or educational facility: 1) a class 4 felony if the person causes damage of \$10,000 or more; 2) a class 5 felony if the person causes \$1,500 or more but less than \$10,000 of damage; or 3) a class 6 felony if the person causes less than \$1,500 of damage ([A.R.S. § 13-1604](#)).

In determining the amount of damage to property, damages include the cost of repair or replacement of the property that was damaged, the cost of the loss of crops and livestock, reasonable labor costs of any kind, reasonable material costs of any kind and any reasonable costs that are attributed to equipment that is used to abate or repair the damage to the property (A.R.S. §§ [13-1602](#) and [13-1604](#)).

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

Provisions

1. Classifies defacing, damaging or tampering with a public or private monument, memorial or statue as:
  - a) a class 4 felony if the person causes \$10,000 or more of property damage;
  - b) a class 5 felony if the person causes more than \$1,500 but less than \$10,000 of property damage; or
  - c) a class 6 felony if the person causes less than \$1,500 of property damage.
2. Makes technical and conforming changes.
3. Becomes effective on the general effective date.

FACT SHEET

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House Action

JUD	2/10/21	DP	6-3-0-1
3 <sup>rd</sup> Read	2/24/21		31-29-0

Prepared by Senate Research

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JA/RC/kja