

REFERENCE TITLE: unlawful transporting; harboring; unlawful aliens

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SB 1379

Introduced by
Senator Rogers

AN ACT

AMENDING SECTION 13-2929, ARIZONA REVISED STATUTES; RELATING TO OFFENSES AGAINST PUBLIC ORDER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-2929, Arizona Revised Statutes, is amended to
3 read:

4 13-2929. Unlawful transporting, moving, concealing, harboring
5 or shielding of unlawful aliens; vehicle
6 impoundment; exception; classification

7 A. It is unlawful for a person ~~who is in violation of a criminal~~
8 ~~offense~~ to:

9 1. Transport or move or attempt to transport or move an alien in
10 this state, in furtherance of the illegal presence of the alien in the
11 United States, in a means of transportation if the person knows or
12 recklessly disregards the fact that the alien has come to, has entered or
13 remains in the United States in violation of law.

14 2. Conceal, harbor or shield or attempt to conceal, harbor or
15 shield an alien from detection in any place in this state, including any
16 building or any means of transportation, if the person knows or recklessly
17 disregards the fact that the alien has come to, has entered or remains in
18 the United States in violation of law.

19 3. Encourage or induce an alien to come to or reside in this state
20 if the person knows or recklessly disregards the fact that such coming to,
21 entering or residing in this state is or will be in violation of law.

22 B. A means of transportation that is used in the commission of a
23 violation of this section is subject to mandatory vehicle immobilization
24 or impoundment pursuant to section 28-3511.

25 C. A law enforcement official or agency of this state or a county,
26 city, town or other political subdivision of this state may not consider
27 race, color or national origin in the enforcement of this section except
28 to the extent permitted by the United States CONSTITUTION or Arizona
29 Constitution.

30 D. In the enforcement of this section, an alien's immigration
31 status may be determined by:

32 1. A law enforcement officer who is authorized by the federal
33 government to verify or ascertain an alien's immigration status.

34 2. The United States immigration and customs enforcement or the
35 United States customs and border protection pursuant to 8 United States
36 Code section 1373(c).

37 E. This section does not apply to a child safety worker acting in
38 the worker's official capacity or a person who is acting in the capacity
39 of a first responder, an ambulance attendant or an emergency medical
40 technician and who is transporting or moving an alien in this state
41 pursuant to title 36, chapter 21.1.

1 F. A person who violates this section is guilty of a class
2 ~~1 misdemeanor~~ 6 FELONY and is subject to a fine of at least ~~one thousand~~
3 ~~dollars~~ \$1,000, except that a violation of this section that involves ~~ten~~
4 TWO or more illegal aliens is a class ~~6~~ 4 felony and the person is
5 subject to a fine of at least ~~one thousand dollars~~ \$1,000 for each alien
6 who is involved.