

House Engrossed

sexual conduct; minor; classification; sentence

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HOUSE BILL 2169

AN ACT

AMENDING SECTION 13-1405, ARIZONA REVISED STATUTES; RELATING TO SEXUAL OFFENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-1405, Arizona Revised Statutes, is amended to
3 read:

4 13-1405. Sexual conduct with a minor; classification

5 A. A person commits sexual conduct with a minor by intentionally or
6 knowingly engaging in sexual intercourse or oral sexual contact with any
7 person who is under eighteen years of age.

8 B. Sexual conduct with a minor who is under fifteen years of age is
9 a class 2 felony and is punishable pursuant to section 13-705. Sexual
10 conduct with a minor who is at least fifteen years of age is a class
11 6 felony. **SEXUAL CONDUCT WITH A MINOR WHO IS AT LEAST FIFTEEN YEARS OF**
12 **AGE IS A CLASS 4 FELONY IF THE PERSON IS OLDER THAN TWENTY YEARS OF AGE AT**
13 **THE TIME OF THE OFFENSE AND, IF PLACED ON PROBATION, THE CONVICTED PERSON**
14 **SHALL BE SENTENCED TO SERVE ONE YEAR IN JAIL.** Sexual conduct with a minor
15 who is at least fifteen years of age is a class 2 felony if the person is
16 or was in a position of trust and the convicted person is not eligible for
17 suspension of sentence, probation, pardon or release from confinement on
18 any basis except as specifically authorized by section 31-233, subsection
19 A or B until the sentence imposed has been served or commuted.