

House Engrossed

fraudulent schemes; artifices; jurisdiction

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

# HOUSE BILL 2297

AN ACT

AMENDING SECTION 13-2310, ARIZONA REVISED STATUTES; RELATING TO FRAUDULENT SCHEMES AND ARTIFICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-2310, Arizona Revised Statutes, is amended to  
3 read:

4 13-2310. Fraudulent schemes and artifices; classification;  
5 jurisdiction; definition

6 A. ~~Any~~ A person who, pursuant to a scheme or artifice to defraud,  
7 knowingly obtains any benefit by means of false or fraudulent pretenses,  
8 representations, promises or material omissions is guilty of a class 2  
9 felony.

10 B. Reliance on the part of any person shall not be a necessary  
11 element of the offense described in subsection A of this section.

12 C. A person who is convicted of a violation of this section that  
13 involved a benefit with a value of ~~one hundred thousand dollars~~ \$100,000  
14 or more or the manufacture, sale or marketing of opioids is not eligible  
15 for suspension of sentence, probation, pardon or release from confinement  
16 on any basis except pursuant to section 31-233, subsection A or B until  
17 the sentence imposed by the court has been served, the person is eligible  
18 for release pursuant to section 41-1604.07 or the sentence is commuted.

19 D. This state shall apply the aggregation prescribed by section  
20 13-1801, subsection B to violations of this section in determining the  
21 applicable punishment.

22 E. IN A PROSECUTION FOR A VIOLATION OF THIS SECTION, THE STATE IS  
23 NOT REQUIRED TO ESTABLISH THAT ALL OF THE ACTS THAT CONSTITUTE A VIOLATION  
24 OF THIS SECTION OCCURRED IN THIS STATE OR WITHIN A SINGLE CITY, TOWN,  
25 COUNTY OR LOCAL JURISDICTION OF THIS STATE. IT IS NOT A DEFENSE THAT NOT  
26 ALL OF THE ACTS THAT CONSTITUTE A VIOLATION OF THIS SECTION OCCURRED IN  
27 THIS STATE OR WITHIN A SINGLE CITY, TOWN, COUNTY OR LOCAL JURISDICTION OF  
28 THIS STATE.

29 ~~E.~~ F. For the purposes of this section, "scheme or artifice to  
30 defraud" includes a scheme or artifice to deprive a person of the  
31 intangible right of honest services.