



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

FACT SHEET FOR S.B. 1009

criminal damage; monuments; memorials; statues

Purpose

Classifies defacing, damaging, or tampering with a public or private monument, memorial or statue as *aggravated criminal damage*.

Background

A person commits *aggravated criminal damage* by intentionally or recklessly, without the express permission of the owner: 1) defacing, damaging or in any way changing the appearance of any building, structure, personal property or place used for worship or any religious purpose; 2) defacing or damaging any building, structure or place used as a school or as an educational facility; 3) defacing, damaging or tampering with any cemetery, mortuary or personal property of the cemetery or mortuary or other facility used for the purpose of burial or memorializing the dead; or 4) defacing, damaging or tampering with any utility or agricultural infrastructure or property, construction site or existing structure for the purpose of obtaining nonferrous metals. *Aggravated criminal damage* ranges from a class 6 felony to a class 3 felony, depending on the amount of damage and type of property or object damaged ([A.R.S. § 13-1604](#)).

A person commits *criminal damage* by: 1) recklessly defacing or damaging property of another person; 2) recklessly tampering with property of another person so as substantially to impair its function or value; 3) recklessly damaging property of a utility; 4) recklessly parking any vehicle in such a manner as to deprive livestock of access to the only reasonably available water; 5) recklessly drawing or inscribing a message, slogan, sign or symbol that is made on any public or private building, structure or surface, except the ground, and that is made without permission of the owner; or 6) intentionally tampering with utility property. *Criminal damage* ranges from a class 2 misdemeanor to a class 4 felony based on the amount and type of damage ([A.R.S. § 13-1602](#)).

A person commits *abuse of venerated objects* by intentionally: 1) desecrating any public monument, memorial or property of a public park; or 2) altering, burning, casting contempt upon, or mutilating a flag within public view, or by printing a flag on any article of merchandise. *Abuse of venerated objects* is a class 2 misdemeanor ([A.R.S. § 13-3703](#))

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 *aggravated criminal damage*.

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2. Makes technical and conforming changes.
3. Becomes effective on the general effective date.

Prepared by Senate Research
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ZD/KS/sr