

REFERENCE TITLE: lifetime probation; sexual offenses; termination

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SB 1155

Introduced by
Senators Shamp: Carroll, Gowan; Representative Smith

AN ACT

AMENDING TITLE 13, CHAPTER 9, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 13-912 AND 13-922; RELATING TO PROBATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 13, chapter 9, Arizona Revised Statutes, is
3 amended by adding sections 13-912 and 13-922, to read:

4 13-912. Modification of lifetime probation; sexual offenses;
5 applicability

6 A. NOTWITHSTANDING ANY OTHER LAW, A PERSON WHO IS PLACED ON
7 LIFETIME PROBATION FOR A SEXUAL OFFENSE MAY NOT PETITION THE COURT FOR AN
8 ORDER TERMINATING PROBATION BEFORE THE FOLLOWING EXPIRATION OF TIME:

9 1. FOR A CLASS 2 OR 3 FELONY CONVICTION, TWENTY YEARS AFTER THE
10 DATE THAT THE PERSON WAS PLACED ON PROBATION.

11 2. FOR A CLASS 4, 5 OR 6 FELONY CONVICTION, TEN YEARS AFTER THE
12 DATE THAT THE PERSON WAS PLACED ON PROBATION.

13 B. THIS SECTION DOES NOT APPLY TO A PERSON WHO REQUESTS AN ANNUAL
14 PROBATION REVIEW HEARING PURSUANT TO SECTION 13-923.

15 13-922. Probation termination or modification; sexual
16 offenses; criminal records check

17 IF A PERSON IS PLACED ON PROBATION FOR A FELONY SEXUAL OFFENSE, THE
18 PROBATION DEPARTMENT SHALL COMPLETE AN INVESTIGATION OF ARREST
19 NOTIFICATIONS AND WARRANT CHECKS TO DETERMINE WHETHER THE PERSON HAS ANY
20 CURRENT OR PENDING CRIMINAL CHARGES BEFORE RECOMMENDING A MODIFICATION OR
21 EARLY TERMINATION OF THE PERSON'S PROBATION SENTENCE. THE COURT MAY NOT
22 ISSUE AN ORDER TERMINATING OR MODIFYING THE PERSON'S PROBATION SENTENCE IF
23 THERE IS A CURRENT OR PENDING CRIMINAL CHARGE AGAINST THE PERSON.