

*Sponsorship has changed since the bill was introduced

Senate Engrossed House Bill

aggravated assault; accomplices; classification

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

CHAPTER 172

HOUSE BILL 2611

AN ACT

AMENDING SECTION 13-1204, ARIZONA REVISED STATUTES, AS AMENDED BY 2024 PROPOSITION 311, SECTION 3; AMENDING SECTION 13-1204, ARIZONA REVISED STATUTES, AS AMENDED BY 2024 PROPOSITION 311, SECTION 4; REPEALING SECTION 13-1204, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2024, CHAPTER 113, SECTION 1 AND CHAPTER 257, SECTION 2; RELATING TO ASSAULT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-1204, Arizona Revised Statutes, as amended by
3 2024 proposition 311, section 3, is amended to read:

4 13-1204. Aggravated assault; classification; definitions

5 A. Until January 1, 2033, a person commits aggravated assault if
6 the person commits assault as prescribed by section 13-1203 under any of
7 the following circumstances:

8 1. If the person causes serious physical injury to another.

9 2. If the person uses a deadly weapon or dangerous instrument.

10 3. If the person commits the assault by any means of force that
11 causes temporary but substantial disfigurement, temporary but substantial
12 loss or impairment of any body organ or part or a fracture of any body
13 part.

14 4. If the person commits the assault while the victim is bound or
15 otherwise physically restrained or while the victim's capacity to resist
16 is substantially impaired.

17 5. If the person commits the assault after entering the private
18 home of another with the intent to commit the assault.

19 6. If the person is eighteen years of age or older and commits the
20 assault on a minor under fifteen years of age.

21 7. If the person commits assault as prescribed by section 13-1203,
22 subsection A, paragraph 1 or 3 and the person is in violation of an order
23 of protection issued against the person pursuant to section 13-3602 or
24 13-3624.

25 8. If the person commits the assault knowing or having reason to
26 know that the victim is any of the following:

27 (a) A first responder or a person summoned and directed by the
28 first responder.

29 (b) A constable or a person summoned and directed by the constable
30 while engaged in the execution of any official duties or if the assault
31 results from the execution of the constable's official duties.

32 (c) A teacher or other person employed by any school and the
33 teacher or other employee is on the grounds of a school or grounds
34 adjacent to the school or is in any part of a building or vehicle used for
35 school purposes, any teacher or school nurse visiting a private home in
36 the course of the teacher's or nurse's professional duties or any teacher
37 engaged in any authorized and organized classroom activity held on other
38 than school grounds.

39 (d) A health care worker while engaged in the health care worker's
40 work duties or a health care practitioner who is certified or licensed
41 pursuant to title 32, chapter 13, 14, 15, 17 or 25, or a person summoned
42 and directed by the licensed health care practitioner while engaged in the
43 person's professional duties. This subdivision does not apply if the
44 person who commits the assault does not have the ability to form the
45 culpable mental state because of a mental disability, DEVELOPMENTAL

1 **DISABILITY OR COGNITIVE DISABILITY** or because the person is seriously
2 mentally ill, as defined in section 36-550.

3 (e) A prosecutor while engaged in the execution of any official
4 duties or if the assault results from the execution of the prosecutor's
5 official duties.

6 (f) A code enforcement officer as defined in section 39-123 while
7 engaged in the execution of any official duties or if the assault results
8 from the execution of the code enforcement officer's official duties.

9 (g) A state or municipal park ranger while engaged in the execution
10 of any official duties or if the assault results from the execution of the
11 park ranger's official duties.

12 (h) A public defender while engaged in the execution of any
13 official duties or if the assault results from the execution of the public
14 defender's official duties.

15 (i) A judicial officer while engaged in the execution of any
16 official duties or if the assault results from the execution of the
17 judicial officer's official duties.

18 (j) **AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY, OTHER THAN A PEACE**
19 **OFFICER, WHILE ENGAGED IN THE EXECUTION OF ANY OFFICIAL DUTIES.**

20 (k) **A PUBLIC TRANSIT EMPLOYEE WHO PERFORMS DUTIES ON AND OFF A**
21 **VEHICLE WHILE ENGAGED IN TRANSFERRING MEMBERS OF THE COMMUNITY TO AND FROM**
22 **DESTINATIONS IN A BUS, VAN OR SHUTTLE.**

23 (l) **AN AIRPORT EMPLOYEE WHO INTERACTS WITH THE PUBLIC WHILE ENGAGED**
24 **IN THE AIRPORT EMPLOYEE'S WORK DUTIES.**

25 (m) **A RAILWAY WORKER WHILE ENGAGED IN OPERATING A TRAIN, LIGHT RAIL**
26 **OR PASSENGER RAIL OR PERFORMING TRACK MAINTENANCE.**

27 9. If the person knowingly takes or attempts to exercise control
28 over any of the following:

29 (a) A first responder's or other officer's firearm and the person
30 knows or has reason to know that the victim is a first responder or other
31 officer employed by one of the agencies listed in paragraph 10,
32 subdivision (a), item (i), (ii), (iii), (iv) or (v) of this subsection.

33 (b) Any weapon other than a firearm that is being used by a first
34 responder or other officer or that the first responder or other officer is
35 attempting to use, and the person knows or has reason to know that the
36 victim is a first responder or other officer employed by one of the
37 agencies listed in paragraph 10, subdivision (a), item (i), (ii), (iii),
38 (iv) or (v) of this subsection.

39 (c) Any implement that is being used by a first responder or other
40 officer or that the first responder or other officer is attempting to use,
41 and the person knows or has reason to know that the victim is a first
42 responder or other officer employed by one of the agencies listed in
43 paragraph 10, subdivision (a), item (i), (ii), (iii), (iv) or (v) of this
44 subsection. For the purposes of this subdivision, "implement" means an

1 object that is designed for or that is capable of restraining or injuring
2 an individual. Implement does not include handcuffs.

3 10. If the person meets both of the following conditions:

4 (a) Is imprisoned or otherwise subject to the custody of any of the
5 following:

6 (i) The state department of corrections.

7 (ii) The department of juvenile corrections.

8 (iii) A law enforcement agency.

9 (iv) A county or city jail or an adult or juvenile detention
10 facility of a city or county.

11 (v) Any other entity that is contracting with the state department
12 of corrections, the department of juvenile corrections, a law enforcement
13 agency, another state, any private correctional facility, a county, a city
14 or the federal bureau of prisons or other federal agency that has
15 responsibility for sentenced or unsentenced prisoners.

16 (b) Commits an assault knowing or having reason to know that the
17 victim is acting in an official capacity as an employee of any of the
18 entities listed in subdivision (a) of this paragraph.

19 11. If the person uses a simulated deadly weapon.

20 12. IF THE PERSON IS AIDED BY TWO OR MORE ACCOMPLICES WHO AID IN
21 COMMITTING THE ASSAULT, THE ASSAULT IS DIRECTED AT A SINGLE PERSON AND THE
22 ASSAULT RESULTS IN PHYSICAL INJURY.

23 B. Until January 1, 2033, a person commits aggravated assault if
24 the person commits assault by either intentionally, knowingly or
25 recklessly causing any physical injury to another person, intentionally
26 placing another person in reasonable apprehension of imminent physical
27 injury or knowingly touching another person with the intent to injure the
28 person, and both of the following occur:

29 1. The person intentionally or knowingly impedes the normal
30 breathing or circulation of blood of another person by applying pressure
31 to the throat or neck or by obstructing the nose and mouth either manually
32 or through the use of an instrument.

33 2. Any of the circumstances exists that are set forth in section
34 13-3601, subsection A, paragraph 1, 2, 3, 4, 5 or 6.

35 C. A person who is convicted of intentionally or knowingly
36 committing aggravated assault on a first responder pursuant to subsection
37 A, paragraph 1 or 2 of this section shall be sentenced to imprisonment for
38 not less than the presumptive sentence authorized under chapter 7 of this
39 title and is not eligible for suspension of sentence, commutation or
40 release on any basis until the sentence imposed is served.

41 D. IF A PERSON IS CONVICTED OF COMMITTING AGGRAVATED ASSAULT ON A
42 PEACE OFFICER PURSUANT TO THIS SECTION AND THE TRIER OF FACT DETERMINES
43 THAT SECTION 13-701, SUBSECTION D, PARAGRAPH 17 APPLIES, THE PERSON SHALL
44 BE SENTENCED TO TWO YEARS MORE THAN WOULD OTHERWISE BE IMPOSED FOR THE
45 OFFENSE. THE ADDITIONAL SENTENCE IMPOSED UNDER THIS SUBSECTION IS IN

1 ADDITION TO ANY ENHANCED PUNISHMENT THAT MAY BE APPLICABLE UNDER THIS
2 SECTION OR CHAPTER 7 OF THIS TITLE. THE PERSON IS NOT ELIGIBLE FOR
3 SUSPENSION OF SENTENCE, COMMUTATION OR RELEASE FROM CONFINEMENT ON ANY
4 BASIS, EXCEPT AS SPECIFICALLY AUTHORIZED BY SECTION 31-233, SUBSECTION A
5 OR B, UNTIL THE SENTENCE IMPOSED IS SERVED THE PERSON IS ELIGIBLE FOR
6 RELEASE PURSUANT TO SECTION 41-1604.07 OR THE SENTENCE IS COMMUTED.

7 ~~D.~~ E. It is not a defense to a prosecution for assaulting a peace
8 officer or a mitigating circumstance that the peace officer was not on
9 duty or engaged in the execution of any official duties.

10 ~~F.~~ F. Except pursuant to subsections ~~F~~ and G, H AND I of this
11 section, aggravated assault pursuant to subsection A, paragraph 1 or 2,
12 paragraph 9, subdivision (a) or paragraph 11 of this section is a class 3
13 felony except if the aggravated assault is a violation of subsection A,
14 paragraph 1 or 2 of this section and the victim is under fifteen years of
15 age it is a class 2 felony punishable pursuant to section 13-705.
16 Aggravated assault pursuant to subsection A, paragraph 3 OR 12 or
17 subsection B of this section is a class 4 felony. Aggravated assault
18 pursuant to subsection A, paragraph 9, subdivision (b) or paragraph 10 of
19 this section is a class 5 felony. Aggravated assault pursuant to
20 subsection A, paragraph 4, 5, 6, 7 or 8 or paragraph 9, subdivision (c) of
21 this section is a class 6 felony.

22 ~~F.~~ G. Aggravated assault pursuant to subsection A, paragraph 1 or
23 2 of this section committed on a first responder is a class 2 felony.
24 Aggravated assault pursuant to subsection A, paragraph 3 of this section
25 committed on a first responder is a class 3 felony. Aggravated assault
26 pursuant to subsection A, paragraph 8, subdivision (a) of this section
27 committed on a first responder is a class 4 felony unless the assault
28 results in any physical injury to the first responder, in which case it is
29 a class 3 felony.

30 H. AGGRAVATED ASSAULT PURSUANT TO SUBSECTION A, PARAGRAPH 1 OR 2 OF
31 THIS SECTION COMMITTED ON AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY IS A
32 CLASS 2 FELONY. AGGRAVATED ASSAULT PURSUANT TO SUBSECTION A, PARAGRAPH 3
33 OF THIS SECTION COMMITTED ON AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY IS A
34 CLASS 3 FELONY. AGGRAVATED ASSAULT PURSUANT TO SUBSECTION A, PARAGRAPH 8,
35 SUBDIVISION (j) OF THIS SECTION COMMITTED ON AN EMPLOYEE OF A LAW
36 ENFORCEMENT AGENCY IS A CLASS 5 FELONY UNLESS THE ASSAULT RESULTS IN ANY
37 PHYSICAL INJURY TO THE EMPLOYEE, IN WHICH CASE IT IS A CLASS 4 FELONY.

38 ~~G.~~ I. Aggravated assault pursuant to:

39 1. Subsection A, paragraph 1 or 2 of this section is a class 2
40 felony if committed on a prosecutor.

41 2. Subsection A, paragraph 3 of this section is a class 3 felony if
42 committed on a prosecutor.

43 3. Subsection A, paragraph 8, subdivision (e) of this section is a
44 class 5 felony if the assault results in physical injury to a prosecutor.

1 ~~H.~~ J. For the purposes of this section:
2 1. "COGNITIVE DISABILITY" HAS THE SAME MEANING PRESCRIBED IN
3 SECTION 36-551.
4 2. "DEVELOPMENTAL DISABILITY" HAS THE SAME MEANING PRESCRIBED IN
5 SECTION 36-551.
6 ~~I.~~ 3. "First responder" means:
7 (a) A peace officer.
8 (b) A firefighter, a fire marshal, a fire inspector, an emergency
9 medical care technician or a paramedic who is engaged in the execution of
10 any official duties.
11 (c) A tribal police officer.
12 ~~E.~~ 4. "Health care worker" means:
13 (a) A person who is employed by or contracted to work at a health
14 care institution that is licensed pursuant to title 36.
15 (b) A person who is employed or contracted to provide health care
16 or related services in a fieldwork setting, including:
17 (i) Home health care, home-based hospice and home-based social
18 work, unless the worker is employed or contracted by an individual who
19 privately employs, in the individual's residence, the worker to perform
20 covered services for the individual or a family member of the individual.
21 (ii) Any emergency services and transport, including the services
22 provided by firefighters and emergency responders.
23 ~~F.~~ 5. "Judicial officer" means a justice of the supreme court,
24 judge, justice of the peace or magistrate or a commissioner or hearing
25 officer of a state, county or municipal court.
26 ~~G.~~ 6. "Mental disability" means a disabling neurological
27 condition, or brain injury, or involuntary impairment as a result of a
28 medication that is administered by a health care provider or a medical
29 procedure that is performed at a health care treatment site.
30 ~~H.~~ 7. "Prosecutor" means a county attorney, a municipal prosecutor
31 or the attorney general and includes an assistant or deputy county
32 attorney, municipal prosecutor or attorney general.
33 Sec. 2. Section 13-1204, Arizona Revised Statutes, as amended by
34 2024 proposition 311, section 4, is amended to read:
35 13-1204. Aggravated assault; classification; definitions
36 A. Beginning from and after December 31, 2032, a person commits
37 aggravated assault if the person commits assault as prescribed by section
38 13-1203 under any of the following circumstances:
39 1. If the person causes serious physical injury to another.
40 2. If the person uses a deadly weapon or dangerous instrument.
41 3. If the person commits the assault by any means of force that
42 causes temporary but substantial disfigurement, temporary but substantial
43 loss or impairment of any body organ or part or a fracture of any body
44 part.

1 4. If the person commits the assault while the victim is bound or
2 otherwise physically restrained or while the victim's capacity to resist
3 is substantially impaired.

4 5. If the person commits the assault after entering the private
5 home of another with the intent to commit the assault.

6 6. If the person is eighteen years of age or older and commits the
7 assault on a minor under fifteen years of age.

8 7. If the person commits assault as prescribed by section 13-1203,
9 subsection A, paragraph 1 or 3 and the person is in violation of an order
10 of protection issued against the person pursuant to section 13-3602 or
11 13-3624.

12 8. If the person commits the assault knowing or having reason to
13 know that the victim is any of the following:

14 (a) A peace officer or a person summoned and directed by the
15 officer.

16 (b) A constable or a person summoned and directed by the constable
17 while engaged in the execution of any official duties or if the assault
18 results from the execution of the constable's official duties.

19 (c) A firefighter, fire investigator, fire inspector, emergency
20 medical technician or paramedic engaged in the execution of any official
21 duties or a person summoned and directed by such individual while engaged
22 in the execution of any official duties or if the assault results from the
23 execution of the official duties of the firefighter, fire investigator,
24 fire inspector, emergency medical technician or paramedic.

25 (d) A teacher or other person employed by any school and the
26 teacher or other employee is on the grounds of a school or grounds
27 adjacent to the school or is in any part of a building or vehicle used for
28 school purposes, any teacher or school nurse visiting a private home in
29 the course of the teacher's or nurse's professional duties or any teacher
30 engaged in any authorized and organized classroom activity held on other
31 than school grounds.

32 (e) A health care worker while engaged in the health care worker's
33 work duties or a health care practitioner who is certified or licensed
34 pursuant to title 32, chapter 13, 14, 15, 17 or 25, or a person summoned
35 and directed by the licensed health care practitioner while engaged in the
36 person's professional duties. This subdivision does not apply if the
37 person who commits the assault does not have the ability to form the
38 culpable mental state because of a mental disability, **DEVELOPMENTAL**
39 **DISABILITY OR COGNITIVE DISABILITY** or because the person is seriously
40 mentally ill, as defined in section 36-550.

41 (f) A prosecutor while engaged in the execution of any official
42 duties or if the assault results from the execution of the prosecutor's
43 official duties.

1 (g) A code enforcement officer as defined in section 39-123 while
2 engaged in the execution of any official duties or if the assault results
3 from the execution of the code enforcement officer's official duties.

4 (h) A state or municipal park ranger while engaged in the execution
5 of any official duties or if the assault results from the execution of the
6 park ranger's official duties.

7 (i) A public defender while engaged in the execution of any
8 official duties or if the assault results from the execution of the public
9 defender's official duties.

10 (j) A judicial officer while engaged in the execution of any
11 official duties or if the assault results from the execution of the
12 judicial officer's official duties.

13 (k) AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY, OTHER THAN A PEACE
14 OFFICER, WHILE ENGAGED IN THE EXECUTION OF ANY OFFICIAL DUTIES.

15 (l) A PUBLIC TRANSIT EMPLOYEE WHO PERFORMS DUTIES ON AND OFF A
16 VEHICLE WHILE ENGAGED IN TRANSFERRING MEMBERS OF THE COMMUNITY TO AND FROM
17 DESTINATIONS IN A BUS, VAN OR SHUTTLE.

18 (m) AN AIRPORT EMPLOYEE WHO INTERACTS WITH THE PUBLIC WHILE ENGAGED
19 IN THE AIRPORT EMPLOYEE'S WORK DUTIES.

20 (n) A RAILWAY WORKER WHILE ENGAGED IN OPERATING A TRAIN, LIGHT RAIL
21 OR PASSENGER RAIL OR PERFORMING TRACK MAINTENANCE.

22 9. If the person knowingly takes or attempts to exercise control
23 over any of the following:

24 (a) A peace officer's or other officer's firearm and the person
25 knows or has reason to know that the victim is a peace officer or other
26 officer employed by one of the agencies listed in paragraph 10,
27 subdivision (a), item (i), (ii), (iii), (iv) or (v) of this subsection.

28 (b) Any weapon other than a firearm that is being used by a peace
29 officer or other officer or that the officer is attempting to use, and the
30 person knows or has reason to know that the victim is a peace officer or
31 other officer employed by one of the agencies listed in paragraph 10,
32 subdivision (a), item (i), (ii), (iii), (iv) or (v) of this subsection.

33 (c) Any implement that is being used by a peace officer or other
34 officer or that the officer is attempting to use, and the person knows or
35 has reason to know that the victim is a peace officer or other officer
36 employed by one of the agencies listed in paragraph 10, subdivision (a),
37 item (i), (ii), (iii), (iv) or (v) of this subsection. For the purposes
38 of this subdivision, "implement" means an object that is designed for or
39 that is capable of restraining or injuring an individual. Implement does
40 not include handcuffs.

41 10. If the person meets both of the following conditions:

42 (a) Is imprisoned or otherwise subject to the custody of any of the
43 following:

44 (i) The state department of corrections.

45 (ii) The department of juvenile corrections.

1 (iii) A law enforcement agency.
2 (iv) A county or city jail or an adult or juvenile detention
3 facility of a city or county.
4 (v) Any other entity that is contracting with the state department
5 of corrections, the department of juvenile corrections, a law enforcement
6 agency, another state, any private correctional facility, a county, a city
7 or the federal bureau of prisons or other federal agency that has
8 responsibility for sentenced or unsentenced prisoners.
9 (b) Commits an assault knowing or having reason to know that the
10 victim is acting in an official capacity as an employee of any of the
11 entities listed in subdivision (a) of this paragraph.
12 11. If the person uses a simulated deadly weapon.
13 12. IF THE PERSON IS AIDED BY TWO OR MORE ACCOMPLICES AID IN
14 COMMITTING THE ASSAULT, THE ASSAULT IS DIRECTED AT A SINGLE PERSON AND THE
15 ASSAULT RESULTS IN PHYSICAL INJURY.
16 B. Beginning from and after December 31, 2032, a person commits
17 aggravated assault if the person commits assault by either intentionally,
18 knowingly or recklessly causing any physical injury to another person,
19 intentionally placing another person in reasonable apprehension of
20 imminent physical injury or knowingly touching another person with the
21 intent to injure the person, and both of the following occur:
22 1. The person intentionally or knowingly impedes the normal
23 breathing or circulation of blood of another person by applying pressure
24 to the throat or neck or by obstructing the nose and mouth either manually
25 or through the use of an instrument.
26 2. Any of the circumstances exists that are set forth in section
27 13-3601, subsection A, paragraph 1, 2, 3, 4, 5 or 6.
28 C. A person who is convicted of intentionally or knowingly
29 committing aggravated assault on a peace officer pursuant to subsection A,
30 paragraph 1 or 2 of this section shall be sentenced to imprisonment for
31 not less than the presumptive sentence authorized under chapter 7 of this
32 title and is not eligible for suspension of sentence, commutation or
33 release on any basis until the sentence imposed is served.
34 D. IF A PERSON IS CONVICTED OF COMMITTING AGGRAVATED ASSAULT ON A
35 PEACE OFFICER PURSUANT TO THIS SECTION AND THE TRIER OF FACT DETERMINES
36 THAT SECTION 13-701, SUBSECTION D, PARAGRAPH 17 APPLIES, THE PERSON SHALL
37 BE SENTENCED TO TWO YEARS MORE THAN WOULD OTHERWISE BE IMPOSED FOR THE
38 OFFENSE. THE ADDITIONAL SENTENCE IMPOSED UNDER THIS SUBSECTION IS IN
39 ADDITION TO ANY ENHANCED PUNISHMENT THAT MAY BE APPLICABLE UNDER THIS
40 SECTION OR CHAPTER 7 OF THIS TITLE. THE PERSON IS NOT ELIGIBLE FOR
41 SUSPENSION OF SENTENCE, COMMUTATION OR RELEASE FROM CONFINEMENT ON ANY
42 BASIS, EXCEPT AS SPECIFICALLY AUTHORIZED BY SECTION 31-233, SUBSECTION A
43 OR B, UNTIL THE SENTENCE IMPOSED IS SERVED THE PERSON IS ELIGIBLE FOR
44 RELEASE PURSUANT TO SECTION 41-1604.07 OR THE SENTENCE IS COMMUTED.

1 ~~D.~~ E. It is not a defense to a prosecution for assaulting a peace
2 officer or a mitigating circumstance that the peace officer was not on
3 duty or engaged in the execution of any official duties.

4 ~~F.~~ F. Except pursuant to subsections ~~F and~~ G, H AND I of this
5 section, aggravated assault pursuant to subsection A, paragraph 1 or 2,
6 paragraph 9, subdivision (a) or paragraph 11 of this section is a class 3
7 felony except if the aggravated assault is a violation of subsection A,
8 paragraph 1 or 2 of this section and the victim is under fifteen years of
9 age it is a class 2 felony punishable pursuant to section 13-705.
10 Aggravated assault pursuant to subsection A, paragraph 3 OR 12 or
11 subsection B of this section is a class 4 felony. Aggravated assault
12 pursuant to subsection A, paragraph 9, subdivision (b) or paragraph 10 of
13 this section is a class 5 felony. Aggravated assault pursuant to
14 subsection A, paragraph 4, 5, 6, 7 or 8 or paragraph 9, subdivision (c) of
15 this section is a class 6 felony.

16 ~~F.~~ G. Aggravated assault pursuant to subsection A, paragraph 1 or
17 2 of this section committed on a peace officer is a class 2 felony.
18 Aggravated assault pursuant to subsection A, paragraph 3 of this section
19 committed on a peace officer is a class 3 felony. Aggravated assault
20 pursuant to subsection A, paragraph 8, subdivision (a) of this section
21 committed on a peace officer is a class 5 felony unless the assault
22 results in any physical injury to the peace officer, in which case it is a
23 class 4 felony.

24 H. AGGRAVATED ASSAULT PURSUANT TO SUBSECTION A, PARAGRAPH 1 OR 2 OF
25 THIS SECTION COMMITTED ON AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY IS A
26 CLASS 2 FELONY. AGGRAVATED ASSAULT PURSUANT TO SUBSECTION A, PARAGRAPH 3
27 OF THIS SECTION COMMITTED ON AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY IS A
28 CLASS 3 FELONY. AGGRAVATED ASSAULT PURSUANT TO SUBSECTION A, PARAGRAPH 8,
29 SUBDIVISION (j) OF THIS SECTION COMMITTED ON AN EMPLOYEE OF A LAW
30 ENFORCEMENT AGENCY IS A CLASS 5 FELONY UNLESS THE ASSAULT RESULTS IN ANY
31 PHYSICAL INJURY TO THE EMPLOYEE, IN WHICH CASE IT IS A CLASS 4 FELONY.

32 ~~G.~~ I. Aggravated assault pursuant to:

33 1. Subsection A, paragraph 1 or 2 of this section is a class 2
34 felony if committed on a prosecutor.

35 2. Subsection A, paragraph 3 of this section is a class 3 felony if
36 committed on a prosecutor.

37 3. Subsection A, paragraph 8, subdivision (f) of this section is a
38 class 5 felony if the assault results in physical injury to a prosecutor.

39 ~~H.~~ J. For the purposes of this section:

40 1. "COGNITIVE DISABILITY" HAS THE SAME MEANING PRESCRIBED IN
41 SECTION 36-551.

42 2. "DEVELOPMENTAL DISABILITY" HAS THE SAME MEANING PRESCRIBED IN
43 SECTION 36-551.

1 ~~3.~~ 3. "Health care worker" means:

2 (a) A person who is employed by or contracted to work at a health
3 care institution that is licensed pursuant to title 36.

4 (b) A person who is employed or contracted to provide health care
5 or related services in a fieldwork setting, including:

6 (i) Home health care, home-based hospice and home-based social
7 work, unless the worker is employed or contracted by an individual who
8 privately employs, in the individual's residence, the worker to perform
9 covered services for the individual or a family member of the individual.

10 (ii) Any emergency services and transport, including the services
11 provided by firefighters and emergency responders.

12 ~~4.~~ 4. "Judicial officer" means a justice of the supreme court,
13 judge, justice of the peace or magistrate or a commissioner or hearing
14 officer of a state, county or municipal court.

15 ~~5.~~ 5. "Mental disability" means a disabling neurological
16 condition, or brain injury, or involuntary impairment as a result of a
17 medication that is administered by a health care provider or a medical
18 procedure that is performed at a health care treatment site.

19 ~~6.~~ 6. "Prosecutor" means a county attorney, a municipal prosecutor
20 or the attorney general and includes an assistant or deputy county
21 attorney, municipal prosecutor or attorney general.

22 Sec. 3. Repeal

23 Section 13-1204, Arizona Revised Statutes, as amended by Laws 2024,
24 chapter 113, section 1 and chapter 257, section 2, is repealed.

25 Sec. 4. Short title

26 This act may be cited as "Preston's Law".

APPROVED BY THE GOVERNOR MAY 12, 2025.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 12, 2025.