

REFERENCE TITLE: public entity liability; sexual offenses

State of Arizona  
Senate  
Fifty-seventh Legislature  
First Regular Session  
2025

## **SB 1106**

Introduced by

Senators Miranda: Bolick, Carroll, Diaz, Dunn, Farnsworth, Gabaldón,  
Gowan, Hatathlie, Kavanagh, Kuby, Leach, Ortiz, Shamp; Representatives  
Bliss, Carbone, Carter P, Cavero, Gress, Hernandez A, Hernandez C,  
Hernandez L, Kolodin, Montenegro, Nguyen, Sandoval

AN ACT

AMENDING SECTION 12-820.05, ARIZONA REVISED STATUTES; RELATING TO SPECIAL  
ACTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 12-820.05, Arizona Revised Statutes, is amended  
3 to read:

4 12-820.05. Other immunities

5 A. Except as specifically provided in this article, this article  
6 does not affect, alter or otherwise modify any other rules of tort  
7 immunity regarding public entities and public officers as developed at  
8 common law and as established under the statutes and the constitution of  
9 this state.

10 B. A public entity is not liable for losses that arise out of and  
11 are directly attributable to an act or omission determined by a court to  
12 be a criminal felony by a public employee unless the public entity knew of  
13 the public employee's propensity for that action. This subsection does  
14 not apply to acts or omissions arising out of **EITHER OF THE FOLLOWING:**

15 1. The operation or use of a motor vehicle.

16 2. **A SEXUAL OFFENSE IF THE VICTIM IS A MINOR OR A CHILD WITH A**  
17 **DISABILITY AS DEFINED IN SECTION 15-761 AND EITHER OF THE FOLLOWING**  
18 **CONDITIONS EXIST:**

19 (a) **THE PUBLIC ENTITY WAS IN VIOLATION OF A STATUTORY DUTY RELATING**  
20 **TO OBTAINING INFORMATION REGARDING THE BACKGROUND OF EMPLOYEES.**

21 (b) **THE PUBLIC ENTITY OR PUBLIC EMPLOYEE HAD A STATUTORY DUTY TO**  
22 **REPORT AND FAILED TO DO SO.**

23 C. A public entity is not liable for damages as a result of an  
24 injury caused by any act or omission by a public officer who renders  
25 emergency care gratuitously and in good faith in a public building, at a  
26 public gathering on the grounds of a public building or at the scene of an  
27 emergency occurrence or as the result of any act or failure to act to  
28 provide or arrange for further medical treatment or care for the injured  
29 person, unless the public officer, while rendering the emergency care, is  
30 guilty of gross negligence.

31 Sec. 2. Applicability

32 Section 12-820.05, Arizona Revised Statutes, as amended by section 1  
33 of this act, applies only to acts or omissions involving sexual offenses  
34 that are committed on or after the effective date of this act.

35 Sec. 3. Short title

36 This act may be cited as "Ava's Law".