

Fiscal Note

BILL # SB 1038

TITLE: aggravated assault; commission; certain officials

SPONSOR: Kavanagh

STATUS: As Introduced

PREPARED BY: Geoffrey Paulsen

Description

Among other technical and conforming changes, the bill would effectively reclassify assault against an animal control officer or elected official as aggravated assault.

Estimated Impact

The bill could increase the Arizona Department of Corrections' (ADC) operating costs due to longer sentences for offenders. Any impact would depend on the number of individuals charged under the revised sentencing requirements and the cumulative impact on the ADC inmate population. We expect the impact to be minimal.

Analysis

Statute currently prescribes the circumstances in which an assault is considered aggravated assault. For example, an assault that causes serious physical injury or includes the use of a deadly weapon or dangerous instrument would be considered an aggravated assault. Additionally, any assault against certain individuals in the performance of their official duties is considered an aggravated assault. These protected individuals include first responders, teachers or other school employees, health care workers, prosecutors, public defenders and judicial officers. The bill would add animal control officers and elected officials to the list of protected individuals.

Under current law, assault is punishable as a class 1, 2 or 3 misdemeanor depending on the specific circumstances. Those classifications are punishable by between 30 days and 6 months in jail. By classifying these assaults as aggravated assaults, these acts would instead be punishable by a class 6 felony with a presumptive sentence of 1 year in prison.

Local Government Impact

None

2/12/25

