

*Sponsorship has changed since the bill was introduced

House Engrossed

aggravated assault; accomplices; classification

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

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 **OR 36-551**.

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 AND THE ASSAULT IS DIRECTED AT A SINGLE PERSON.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45 1. "First responder" means:

1 (a) A peace officer.

2 (b) A firefighter, a fire marshal, a fire inspector, an emergency
3 medical care technician or a paramedic who is engaged in the execution of
4 any official duties.

5 (c) A tribal police officer.

6 2. "Health care worker" means:

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

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

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

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

17 3. "Judicial officer" means a justice of the supreme court, judge,
18 justice of the peace or magistrate or a commissioner or hearing officer of
19 a state, county or municipal court.

20 4. "Mental disability" means a disabling neurological condition, or
21 brain injury, or involuntary impairment as a result of a medication that
22 is administered by a health care provider or a medical procedure that is
23 performed at a health care treatment site.

24 5. "Prosecutor" means a county attorney, a municipal prosecutor or
25 the attorney general and includes an assistant or deputy county attorney,
26 municipal prosecutor or attorney general.

27 Sec. 2. Section 13-1204, Arizona Revised Statutes, as amended by
28 2024 proposition 311, section 4, is amended to read:

29 13-1204. Aggravated assault; classification; definitions

30 A. Beginning from and after December 31, 2032, a person commits
31 aggravated assault if the person commits assault as prescribed by section
32 13-1203 under any of the following circumstances:

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

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

35 3. If the person commits the assault by any means of force that
36 causes temporary but substantial disfigurement, temporary but substantial
37 loss or impairment of any body organ or part or a fracture of any body
38 part.

39 4. If the person commits the assault while the victim is bound or
40 otherwise physically restrained or while the victim's capacity to resist
41 is substantially impaired.

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

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

1 7. If the person commits assault as prescribed by section 13-1203,
2 subsection A, paragraph 1 or 3 and the person is in violation of an order
3 of protection issued against the person pursuant to section 13-3602 or
4 13-3624.

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

7 (a) A peace officer or a person summoned and directed by the
8 officer.

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

12 (c) A firefighter, fire investigator, fire inspector, emergency
13 medical technician or paramedic engaged in the execution of any official
14 duties or a person summoned and directed by such individual while engaged
15 in the execution of any official duties or if the assault results from the
16 execution of the official duties of the firefighter, fire investigator,
17 fire inspector, emergency medical technician or paramedic.

18 (d) A teacher or other person employed by any school and the
19 teacher or other employee is on the grounds of a school or grounds
20 adjacent to the school or is in any part of a building or vehicle used for
21 school purposes, any teacher or school nurse visiting a private home in
22 the course of the teacher's or nurse's professional duties or any teacher
23 engaged in any authorized and organized classroom activity held on other
24 than school grounds.

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

34 (f) A prosecutor while engaged in the execution of any official
35 duties or if the assault results from the execution of the prosecutor's
36 official duties.

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

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

43 (i) A public defender while engaged in the execution of any
44 official duties or if the assault results from the execution of the public
45 defender's official duties.

1 (j) A judicial officer while engaged in the execution of any
2 official duties or if the assault results from the execution of the
3 judicial officer's official duties.

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

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

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

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

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

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

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

24 (c) Any implement that is being used by a peace officer or other
25 officer or that the officer is attempting to use, and the person knows or
26 has reason to know that the victim is a peace officer or other officer
27 employed by one of the agencies listed in paragraph 10, subdivision (a),
28 item (i), (ii), (iii), (iv) or (v) of this subsection. For the purposes
29 of this subdivision, "implement" means an object that is designed for or
30 that is capable of restraining or injuring an individual. Implement does
31 not include handcuffs.

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

33 (a) Is imprisoned or otherwise subject to the custody of any of the
34 following:

35 (i) The state department of corrections.

36 (ii) The department of juvenile corrections.

37 (iii) A law enforcement agency.

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

40 (v) Any other entity that is contracting with the state department
41 of corrections, the department of juvenile corrections, a law enforcement
42 agency, another state, any private correctional facility, a county, a city
43 or the federal bureau of prisons or other federal agency that has
44 responsibility for sentenced or unsentenced prisoners.

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

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

5 12. IF THE PERSON IS AIDED BY TWO OR MORE ACCOMPLICES AID IN
6 COMMITTING THE ASSAULT AND THE ASSAULT IS DIRECTED AT A SINGLE PERSON.

7 B. Beginning from and after December 31, 2032, a person commits
8 aggravated assault if the person commits assault by either intentionally,
9 knowingly or recklessly causing any physical injury to another person,
10 intentionally placing another person in reasonable apprehension of
11 imminent physical injury or knowingly touching another person with the
12 intent to injure the person, and both of the following occur:

13 1. The person intentionally or knowingly impedes the normal
14 breathing or circulation of blood of another person by applying pressure
15 to the throat or neck or by obstructing the nose and mouth either manually
16 or through the use of an instrument.

17 2. Any of the circumstances exists that are set forth in section
18 13-3601, subsection A, paragraph 1, 2, 3, 4, 5 or 6.

19 C. A person who is convicted of intentionally or knowingly
20 committing aggravated assault on a peace officer pursuant to subsection A,
21 paragraph 1 or 2 of this section shall be sentenced to imprisonment for
22 not less than the presumptive sentence authorized under chapter 7 of this
23 title and is not eligible for suspension of sentence, commutation or
24 release on any basis until the sentence imposed is served.

25 D. IF A PERSON IS CONVICTED OF COMMITTING AGGRAVATED ASSAULT ON A
26 PEACE OFFICER PURSUANT TO THIS SECTION AND THE TRIER OF FACT DETERMINES
27 THAT SECTION 13-701, SUBSECTION D, PARAGRAPH 17 APPLIES, THE PERSON SHALL
28 BE SENTENCED TO TWO YEARS MORE THAN WOULD OTHERWISE BE IMPOSED FOR THE
29 OFFENSE. THE ADDITIONAL SENTENCE IMPOSED UNDER THIS SUBSECTION IS IN
30 ADDITION TO ANY ENHANCED PUNISHMENT THAT MAY BE APPLICABLE UNDER THIS
31 SECTION OR CHAPTER 7 OF THIS TITLE. THE PERSON IS NOT ELIGIBLE FOR
32 SUSPENSION OF SENTENCE, COMMUTATION OR RELEASE FROM CONFINEMENT ON ANY
33 BASIS, EXCEPT AS SPECIFICALLY AUTHORIZED BY SECTION 31-233, SUBSECTION A
34 OR B, UNTIL THE SENTENCE IMPOSED IS SERVED THE PERSON IS ELIGIBLE FOR
35 RELEASE PURSUANT TO SECTION 41-1604.07 OR THE SENTENCE IS COMMUTED.

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

39 ~~E.~~ F. Except pursuant to subsections ~~F~~ and G, H AND I of this
40 section, aggravated assault pursuant to subsection A, paragraph 1 or 2,
41 paragraph 9, subdivision (a) or paragraph 11 of this section is a class 3
42 felony except if the aggravated assault is a violation of subsection A,
43 paragraph 1 or 2 of this section and the victim is under fifteen years of
44 age it is a class 2 felony punishable pursuant to section 13-705.
45 Aggravated assault pursuant to subsection A, paragraph 3 OR 12 or

1 subsection B of this section is a class 4 felony. Aggravated assault
2 pursuant to subsection A, paragraph 9, subdivision (b) or paragraph 10 of
3 this section is a class 5 felony. Aggravated assault pursuant to
4 subsection A, paragraph 4, 5, 6, 7 or 8 or paragraph 9, subdivision (c) of
5 this section is a class 6 felony.

6 ~~F.~~ G. Aggravated assault pursuant to subsection A, paragraph 1 or
7 2 of this section committed on a peace officer is a class 2 felony.
8 Aggravated assault pursuant to subsection A, paragraph 3 of this section
9 committed on a peace officer is a class 3 felony. Aggravated assault
10 pursuant to subsection A, paragraph 8, subdivision (a) of this section
11 committed on a peace officer is a class 5 felony unless the assault
12 results in any physical injury to the peace officer, in which case it is a
13 class 4 felony.

14 H. AGGRAVATED ASSAULT PURSUANT TO SUBSECTION A, PARAGRAPH 1 OR 2 OF
15 THIS SECTION COMMITTED ON AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY IS A
16 CLASS 2 FELONY. AGGRAVATED ASSAULT PURSUANT TO SUBSECTION A, PARAGRAPH 3
17 OF THIS SECTION COMMITTED ON AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY IS A
18 CLASS 3 FELONY. AGGRAVATED ASSAULT PURSUANT TO SUBSECTION A, PARAGRAPH 8,
19 SUBDIVISION (j) OF THIS SECTION COMMITTED ON AN EMPLOYEE OF A LAW
20 ENFORCEMENT AGENCY IS A CLASS 5 FELONY UNLESS THE ASSAULT RESULTS IN ANY
21 PHYSICAL INJURY TO THE EMPLOYEE, IN WHICH CASE IT IS A CLASS 4 FELONY.

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

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

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

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

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

30 1. "Health care worker" means:

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

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

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

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

41 2. "Judicial officer" means a justice of the supreme court, judge,
42 justice of the peace or magistrate or a commissioner or hearing officer of
43 a state, county or municipal court.

44 3. "Mental disability" means a disabling neurological condition, or
45 brain injury, or involuntary impairment as a result of a medication that

1 is administered by a health care provider or a medical procedure that is
2 performed at a health care treatment site.

3 4. "Prosecutor" means a county attorney, a municipal prosecutor or
4 the attorney general and includes an assistant or deputy county attorney,
5 municipal prosecutor or attorney general.

6 Sec. 3. Repeal

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

9 Sec. 4. Short title

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