

\*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

# 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       ~~J.~~ 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       ~~K.~~ 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       ~~L.~~ 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       ~~M.~~ 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".