

Senate Engrossed

aggravated assault; commission; certain officials

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

# **SENATE BILL 1038**

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           (n) AN ANIMAL CONTROL OFFICER WHILE ENGAGED IN THE EXECUTION OF ANY  
28      OFFICIAL DUTIES OR IF THE ASSAULT RESULTS FROM THE EXECUTION OF THE ANIMAL  
29      CONTROL OFFICER'S OFFICIAL DUTIES.

30           (o) AN ELECTED OFFICIAL WHILE ENGAGED IN THE EXECUTION OF ANY  
31      OFFICIAL DUTIES OR IF THE ASSAULT RESULTS FROM THE EXECUTION OF THE  
32      ELECTED OFFICIAL'S OFFICIAL DUTIES.

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

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

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

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

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

10 (a) Is imprisoned or otherwise subject to the custody of any of the  
11 following:

- 12 (i) The state department of corrections.
- 13 (ii) The department of juvenile corrections.
- 14 (iii) A law enforcement agency.

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

17 (v) Any other entity that is contracting with the state department  
18 of corrections, the department of juvenile corrections, a law enforcement  
19 agency, another state, any private correctional facility, a county, a city  
20 or the federal bureau of prisons or other federal agency that has  
21 responsibility for sentenced or unsentenced prisoners.

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

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

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

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

36           2. Any of the circumstances exists that are set forth in section  
37 13-3601, subsection A, paragraph 1, 2, 3, 4, 5 or 6.

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

44 D. IF A PERSON IS CONVICTED OF COMMITTING AGGRAVATED ASSAULT ON A  
45 PEACE OFFICER PURSUANT TO THIS SECTION AND THE TRIER OF FACT DETERMINES

1 THAT SECTION 13-701, SUBSECTION D, PARAGRAPH 17 APPLIES, THE PERSON SHALL  
2 BE SENTENCED TO TWO YEARS MORE THAN WOULD OTHERWISE BE IMPOSED FOR THE  
3 OFFENSE. THE ADDITIONAL SENTENCE IMPOSED UNDER THIS SUBSECTION IS IN  
4 ADDITION TO ANY ENHANCED PUNISHMENT THAT MAY BE APPLICABLE UNDER THIS  
5 SECTION OR CHAPTER 7 OF THIS TITLE. THE PERSON IS NOT ELIGIBLE FOR  
6 SUSPENSION OF SENTENCE, COMMUTATION OR RELEASE FROM CONFINEMENT ON ANY  
7 BASIS, EXCEPT AS SPECIFICALLY AUTHORIZED BY SECTION 31-233, SUBSECTION A  
8 OR B, UNTIL THE SENTENCE IMPOSED IS SERVED THE PERSON IS ELIGIBLE FOR  
9 RELEASE PURSUANT TO SECTION 41-1604.07 OR THE SENTENCE IS COMMUTED.

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

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

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

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

41 ~~G.~~ I. Aggravated assault pursuant to:  
42 1. Subsection A, paragraph 1 or 2 of this section is a class 2  
43 felony if committed on a prosecutor.  
44 2. Subsection A, paragraph 3 of this section is a class 3 felony if  
45 committed on a prosecutor.

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

3       **~~H~~ J.** For the purposes of this section:

4       1. "First responder" means:

5           (a) A peace officer.

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

9           (c) A tribal police officer.

10       2. "Health care worker" means:

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

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

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

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

21       3. "Judicial officer" means a justice of the supreme court, judge,  
22 justice of the peace or magistrate or a commissioner or hearing officer of  
23 a state, county or municipal court.

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

28       5. "Prosecutor" means a county attorney, a municipal prosecutor or  
29 the attorney general and includes an assistant or deputy county attorney,  
30 municipal prosecutor or attorney general.

31       Sec. 2. Section 13-1204, Arizona Revised Statutes, as amended by  
32 2024 proposition 311, section 4, is amended to read:

33       13-1204. **Aggravated assault; classification; definitions**

34       A. Beginning from and after December 31, 2032, a person commits  
35 aggravated assault if the person commits assault as prescribed by section  
36 13-1203 under any of the following circumstances:

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

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

39           3. If the person commits the assault by any means of force that  
40 causes temporary but substantial disfigurement, temporary but substantial  
41 loss or impairment of any body organ or part or a fracture of any body  
42 part.

43           4. If the person commits the assault while the victim is bound or  
44 otherwise physically restrained or while the victim's capacity to resist  
45 is substantially impaired.

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

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

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

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

11       (a) A peace officer or a person summoned and directed by the  
12 officer.

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

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

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

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

38       (f) A prosecutor while engaged in the execution of any official  
39 duties or if the assault results from the execution of the prosecutor's  
40 official duties.

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

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

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

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

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

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

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

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

(o) AN ANIMAL CONTROL OFFICER WHILE ENGAGED IN THE EXECUTION OF ANY OFFICIAL DUTIES OR IF THE ASSAULT RESULTS FROM THE EXECUTION OF THE ANIMAL CONTROL OFFICER'S OFFICIAL DUTIES.

(p) AN ELECTED OFFICIAL WHILE ENGAGED IN THE EXECUTION OF ANY OFFICIAL DUTIES OR IF THE ASSAULT RESULTS FROM THE EXECUTION OF THE ELECTED OFFICIAL'S OFFICIAL DUTIES.

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

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

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

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

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

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

(i) The state department of corrections

(ii) The department of juvenile corrections.

(iii) A law enforcement agency.

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

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

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

11. If the person uses a simulated deadly weapon.

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

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

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

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

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

1        ~~E.~~ 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 subsection B  
11 of this section is a class 4 felony. Aggravated assault pursuant to  
12 subsection A, paragraph 9, subdivision (b) or paragraph 10 of this section  
13 is a class 5 felony. Aggravated assault pursuant to subsection A,  
14 paragraph 4, 5, 6, 7 or 8 or paragraph 9, subdivision (c) of this section  
15 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  
18 felony. Aggravated assault pursuant to subsection A, paragraph 3 of this  
19 section committed on a peace officer is a class 3 felony. Aggravated  
20 assault pursuant to subsection A, paragraph 8, subdivision (a) of this  
21 section committed on a peace officer is a class 5 felony unless the  
22 assault results in any physical injury to the peace officer, in which case  
23 it is a 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. "Health care worker" means:  
41        (a) A person who is employed by or contracted to work at a health  
42 care institution that is licensed pursuant to title 36.  
43        (b) A person who is employed or contracted to provide health care  
44 or related services in a fieldwork setting, including:

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

7       2. "Judicial officer" means a justice of the supreme court, judge,  
8 justice of the peace or magistrate or a commissioner or hearing officer of  
9 a state, county or municipal court.

10       3. "Mental disability" means a disabling neurological condition, or  
11      brain injury, or involuntary impairment as a result of a medication that  
12      is administered by a health care provider or a medical procedure that is  
13      performed at a health care treatment site.

14       4. "Prosecutor" means a county attorney, a municipal prosecutor or  
15   the attorney general and includes an assistant or deputy county attorney,  
16   municipal prosecutor or attorney general.

17 Sec. 3. Repeal

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