

Senate Engrossed

sexual abuse; dangerous crimes; children

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

# SENATE BILL 1585

AN ACT

AMENDING SECTION 13-705, ARIZONA REVISED STATUTES; RELATING TO CRIMINAL  
OFFENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-705, Arizona Revised Statutes, is amended to  
3 read:

4 13-705. Dangerous crimes against children; sentences;  
5 definitions

6 A. A person who is at least eighteen years of age and who is  
7 convicted of a dangerous crime against children in the first degree  
8 involving commercial sexual exploitation of a minor or child sex  
9 trafficking and the person has previously been convicted of a dangerous  
10 crime against children in the first degree shall be sentenced to  
11 imprisonment in the custody of the state department of corrections for  
12 natural life. A person who is sentenced to natural life is not eligible  
13 for commutation, parole, work furlough, work release or release from  
14 confinement on any basis for the remainder of the person's natural life.

15 B. A person who is at least eighteen years of age and who is  
16 convicted of a dangerous crime against children in the first degree  
17 involving sexual assault of a minor who is twelve years of age or younger  
18 or sexual conduct with a minor who is twelve years of age or younger shall  
19 be sentenced to life imprisonment and is not eligible for suspension of  
20 sentence, probation, pardon or release from confinement on any basis  
21 except as specifically authorized by section 31-233, subsection A or B  
22 until the person has served thirty-five years or the sentence is commuted.  
23 This subsection does not apply to masturbatory contact.

24 C. Except as otherwise provided in this section, a person who is at  
25 least eighteen years of age or who has been tried as an adult and who is  
26 convicted of a dangerous crime against children in the first degree  
27 involving attempted first degree murder of a minor who is under twelve  
28 years of age, sexual assault of a minor who is under twelve years of age,  
29 sexual conduct with a minor who is under twelve years of age or  
30 manufacturing methamphetamine under circumstances that cause physical  
31 injury to a minor who is under twelve years of age may be sentenced to  
32 life imprisonment and is not eligible for suspension of sentence,  
33 probation, pardon or release from confinement on any basis except as  
34 specifically authorized by section 31-233, subsection A or B until the  
35 person has served thirty-five years or the sentence is commuted. If a  
36 life sentence is not imposed pursuant to this subsection, the person shall  
37 be sentenced to a term of imprisonment as follows:

38 <u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
39 13 years	20 years	27 years

40 D. Except as otherwise provided in this section, a person who is at  
41 least eighteen years of age or who has been tried as an adult and who is  
42 convicted of a dangerous crime against children in the first degree  
43 involving second degree murder of a minor who is under fifteen years of  
44 age may be sentenced to life imprisonment and is not eligible for  
45 suspension of sentence, probation, pardon or release from confinement on

1 any basis except as specifically authorized by section 31-233, subsection  
2 A or B until the person has served thirty-five years or the sentence is  
3 commuted. If a life sentence is not imposed pursuant to this subsection,  
4 the person shall be sentenced to a term of imprisonment as follows:

5	<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
6	25 years	30 years	35 years

7 E. Except as otherwise provided in this section, a person who is at  
8 least eighteen years of age or who has been tried as an adult and who is  
9 convicted of a dangerous crime against children in the first degree  
10 involving attempted first degree murder of a minor who is twelve, thirteen  
11 or fourteen years of age, sexual assault of a minor who is twelve,  
12 thirteen or fourteen years of age, taking a child for the purpose of  
13 prostitution, child sex trafficking, commercial sexual exploitation of a  
14 minor, sexual conduct with a minor who is twelve, thirteen or fourteen  
15 years of age, ~~or~~ manufacturing methamphetamine under circumstances that  
16 cause physical injury to a minor who is twelve, thirteen or fourteen years  
17 of age or involving or using minors in drug offenses shall be sentenced to  
18 a term of imprisonment as follows:

19	<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
20	13 years	20 years	27 years

21 A person who has been previously convicted of one predicate felony shall  
22 be sentenced to a term of imprisonment as follows:

23	<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
24	23 years	30 years	37 years

25 F. Except as otherwise provided in this section, a person who is at  
26 least eighteen years of age or who has been tried as an adult and who is  
27 convicted of a dangerous crime against children in the first degree  
28 involving aggravated assault, unlawful mutilation, molestation of a child,  
29 sexual exploitation of a minor, aggravated luring a minor for sexual  
30 exploitation, child abuse or kidnapping shall be sentenced to a term of  
31 imprisonment as follows:

32	<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
33	10 years	17 years	24 years

34 A person who has been previously convicted of one predicate felony shall  
35 be sentenced to a term of imprisonment as follows:

36	<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
37	21 years	28 years	35 years

38 G. Except as otherwise provided in this section, if a person is at  
39 least eighteen years of age or has been tried as an adult and is convicted  
40 of a dangerous crime against children involving luring a minor for sexual  
41 exploitation, sexual extortion or unlawful age misrepresentation and is  
42 sentenced to a term of imprisonment, the term of imprisonment is as  
43 follows and the person is not eligible for release from confinement on any  
44 basis except as specifically authorized by section 31-233, subsection A or  
45 B until the sentence imposed by the court has been served or is commuted,

1 except that if the person is convicted of unlawful age misrepresentation  
2 the person is eligible for release pursuant to section 41-1604.07:

3	<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
4	5 years	10 years	15 years

5 A person who has been previously convicted of one predicate felony shall  
6 be sentenced to a term of imprisonment as follows and the person is not  
7 eligible for suspension of sentence, probation, pardon or release from  
8 confinement on any basis except as specifically authorized by section  
9 31-233, subsection A or B until the sentence imposed by the court has been  
10 served or is commuted, except that if the person is convicted of unlawful  
11 age misrepresentation the person is eligible for release pursuant to  
12 section 41-1604.07:

13	<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
14	8 years	15 years	22 years

15 H. Except as otherwise provided in this section, if a person is at  
16 least eighteen years of age or has been tried as an adult and is convicted  
17 of a dangerous crime against children involving sexual abuse or bestiality  
18 under section 13-1411, subsection A, paragraph 2 and is sentenced to a  
19 term of imprisonment, the term of imprisonment is as follows and the  
20 person is not eligible for release from confinement on any basis except as  
21 specifically authorized by section 31-233, subsection A or B until the  
22 sentence imposed by the court has been served, the person is eligible for  
23 release pursuant to section 41-1604.07 or the sentence is commuted:

24	<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
25	2.5 years	5 years	7.5 years

26 A person who has been previously convicted of one predicate felony shall  
27 be sentenced to a term of imprisonment as follows and the person is not  
28 eligible for suspension of sentence, probation, pardon or release from  
29 confinement on any basis except as specifically authorized by section  
30 31-233, subsection A or B until the sentence imposed by the court has been  
31 served, the person is eligible for release pursuant to section 41-1604.07  
32 or the sentence is commuted:

33	<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
34	8 years	15 years	22 years

35 I. Except as otherwise provided in this section, a person who is at  
36 least eighteen years of age or who has been tried as an adult and who is  
37 convicted of a dangerous crime against children in the first degree  
38 involving continuous sexual abuse of a child shall be sentenced to a term  
39 of imprisonment as follows:

40	<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
41	39 years	60 years	81 years

1 A person who has been previously convicted of one predicate felony shall  
2 be sentenced to a term of imprisonment as follows:

3	<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
4	69 years	90 years	111 years

5 J. The presumptive sentences prescribed in subsections C, D, E, ~~and~~  
6 F and I of this section or subsections G and H of this section if the  
7 person has previously been convicted of a predicate felony may be  
8 increased or decreased pursuant to section 13-701, subsections C, D and E.

9 K. Except as provided in subsections G, H, M and N of this section,  
10 a person who is sentenced for a dangerous crime against children in the  
11 first degree pursuant to this section is not eligible for suspension of  
12 sentence, probation, pardon or release from confinement on any basis  
13 except as specifically authorized by section 31-233, subsection A or B  
14 until the sentence imposed by the court has been served or commuted.

15 L. A person who is convicted of any dangerous crime against  
16 children in the first degree pursuant to subsection C, D, E, ~~or~~ F or I of  
17 this section and who has been previously convicted of two or more  
18 predicate felonies shall be sentenced to life imprisonment and is not  
19 eligible for suspension of sentence, probation, pardon or release from  
20 confinement on any basis except as specifically authorized by section  
21 31-233, subsection A or B until the person has served not fewer than  
22 thirty-five years or the sentence is commuted.

23 M. Notwithstanding chapter 10 of this title, a person who is at  
24 least eighteen years of age or who has been tried as an adult and who is  
25 convicted of a dangerous crime against children in the second degree  
26 pursuant to subsection B, C, E, ~~or~~ F or I of this section is guilty of a  
27 class 3 felony and if the person is sentenced to a term of imprisonment,  
28 the term of imprisonment is as follows and the person is not eligible for  
29 release from confinement on any basis except as specifically authorized by  
30 section 31-233, subsection A or B until the person has served the sentence  
31 imposed by the court, the person is eligible for release pursuant to  
32 section 41-1604.07 or the sentence is commuted:

33	<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
34	5 years	10 years	15 years

35 N. A person who is convicted of any dangerous crime against  
36 children in the second degree and who has been previously convicted of one  
37 or more predicate felonies is not eligible for suspension of sentence,  
38 probation, pardon or release from confinement on any basis except as  
39 specifically authorized by section 31-233, subsection A or B until the  
40 sentence imposed by the court has been served, the person is eligible for  
41 release pursuant to section 41-1604.07 or the sentence is commuted.

42 O. Section 13-704, subsection J and section 13-707, subsection B  
43 apply to the determination of prior convictions.

44 P. The sentence imposed on a person by the court for a dangerous  
45 crime against children under subsection H of this section involving sexual

1 abuse may be served concurrently with other sentences if the offense  
2 involved only one victim. The sentence imposed on a person for any other  
3 dangerous crime against children in the first or second degree shall be  
4 consecutive to any other sentence imposed on the person at any time,  
5 including sexual abuse of the same victim.

6 Q. In this section, for purposes of punishment an unborn child  
7 shall be treated like a minor who is under twelve years of age.

8 R. A dangerous crime against children is in the first degree if it  
9 is a completed offense and is in the second degree if it is a preparatory  
10 offense, except attempted first degree murder is a dangerous crime against  
11 children in the first degree.

12 S. It is not a defense to a dangerous crime against children that  
13 the minor is a person posing as a minor or is otherwise fictitious if the  
14 defendant knew or had reason to know the purported minor was under fifteen  
15 years of age.

16 T. For the purposes of this section:

17 1. "Dangerous crime against children" means any of the following  
18 that is committed against a minor who is under fifteen years of age OR  
19 AGAINST A PERSON POSING AS A MINOR IF THE DEFENDANT KNEW OR HAD REASON TO  
20 KNOW THAT THE PURPORTED MINOR WAS UNDER FIFTEEN YEARS OF AGE:

21 (a) Second degree murder.

22 (b) Aggravated assault resulting in serious physical injury or  
23 involving the discharge, use or threatening exhibition of a deadly weapon  
24 or dangerous instrument.

25 (c) Sexual assault.

26 (d) Molestation of a child.

27 (e) Sexual conduct with a minor.

28 (f) Commercial sexual exploitation of a minor.

29 (g) Sexual exploitation of a minor.

30 (h) Child abuse as prescribed in section 13-3623, subsection A,  
31 paragraph 1.

32 (i) Kidnapping.

33 (j) Sexual abuse.

34 (k) Taking a child for the purpose of prostitution as prescribed in  
35 section 13-3206.

36 (l) Child sex trafficking as prescribed in section 13-3212.

37 (m) Involving or using minors in drug offenses.

38 (n) Continuous sexual abuse of a child.

39 (o) Attempted first degree murder.

40 (p) Sex trafficking.

41 (q) Manufacturing methamphetamine under circumstances that cause  
42 physical injury to a minor.

43 (r) Bestiality as prescribed in section 13-1411, subsection A,  
44 paragraph 2.

45 (s) Luring a minor for sexual exploitation.

1           (t) Aggravated luring a minor for sexual exploitation.  
2           (u) Unlawful age misrepresentation.  
3           (v) Unlawful mutilation.  
4           (w) Sexual extortion as prescribed in section 13-1428.  
5           2. "Predicate felony" means any felony involving child abuse  
6 pursuant to section 13-3623, subsection A, paragraph 1, a sexual offense,  
7 conduct involving the intentional or knowing infliction of serious  
8 physical injury or the discharge, use or threatening exhibition of a  
9 deadly weapon or dangerous instrument, or a dangerous crime against  
10 children in the first or second degree.