

Senate Engrossed

sexual abuse; dangerous crimes; children

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

CHAPTER 75
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:

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

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

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

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

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

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

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

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

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

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

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

28 G. Except as otherwise provided in this section, if a person is at
29 least eighteen years of age or has been tried as an adult and is convicted
30 of a dangerous crime against children involving luring a minor for sexual
31 exploitation, sexual extortion or unlawful age misrepresentation and is
32 sentenced to a term of imprisonment, the term of imprisonment is as
33 follows and the person is not eligible for release from confinement on any
34 basis except as specifically authorized by section 31-233, subsection A or
35 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:

<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
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:

<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
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:

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

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

<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
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:

<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
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 Minimum Presumptive Maximum
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 Minimum Presumptive Maximum
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**
AGAINST A PERSON POSING AS A MINOR IF THE DEFENDANT KNEW OR HAD REASON TO
KNOW THAT THE PURPORTED MINOR WAS UNDER FIFTEEN YEARS OF AGE:

19 (a) Second degree murder.

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

23 (c) Sexual assault.

24 (d) Molestation of a child.

25 (e) Sexual conduct with a minor.

26 (f) Commercial sexual exploitation of a minor.

27 (g) Sexual exploitation of a minor.

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

30 (i) Kidnapping.

31 (j) Sexual abuse.

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

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

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

36 (n) Continuous sexual abuse of a child.

37 (o) Attempted first degree murder.

38 (p) Sex trafficking.

39 (q) Manufacturing methamphetamine under circumstances that cause
40 physical injury to a minor.

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

43 (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.

APPROVED BY THE GOVERNOR APRIL 18, 2025.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 21, 2025.