



ARIZONA STATE SENATE
Fifty-Seventh Legislature, Second Regular Session

AMENDED
FACT SHEET FOR H.B. 2749

felony conviction; sentence completion; designation

Purpose

Allows the court to designate a class 4, 5 or 6 felony conviction as a class 1 misdemeanor conviction if outlined conditions are met.

Background

A person may file a petition to seal all case records related to a criminal offense if the person was: 1) convicted of a criminal offense and has completed all of the terms and conditions of the sentence that was imposed by the court, including the payment of all monetary obligations and restitution to all victims; 2) charged with a criminal offense and the charge was subsequently dismissed or resulted in a not guilty verdict at a trial; or 3) arrested for a criminal offense and no charges were filed. A person who was convicted of an offense may petition the court to seal the person's records of arrest, conviction and sentence after the person completes all nonmonetary terms and conditions of the person's sentence and the following period of time has passed since the person completed the conditions of probation or sentence and was discharged by the court: 1) 10 years for a class 2 or 3 felony; 2) 5 years for a class 4, 5 or 6 felony; 3) 3 years for a class 1 misdemeanor; and 4) 2 years for a class 2 or 3 misdemeanor ([A.R.S. § 13-911](#)).

If a person is convicted of a class 6 felony not involving a dangerous offense, the court may enter a judgment of conviction for a class 1 misdemeanor and make disposition accordingly, or place the defendant on probation, if the court is of the opinion that it would be unduly harsh to sentence the defendant for a felony with regard to the nature and circumstances of the crime and the history and character of the defendant ([A.R.S. § 13-604](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows a court, notwithstanding any other provision of the criminal code, to enter a judgment of conviction for a class 1 misdemeanor for a person who is convicted of a class 4, 5 or 6 felony, provided that:
 - a) the felony offense did not involve a dangerous offense;
 - b) the offense did not involve a victim;
 - c) the person has not been previously convicted of any felony offense;
 - d) the person has completed all of the terms and conditions imposed by the court, including full payment of monetary obligations;
 - e) at least five years have passed since the person completed their sentence and the person has not been convicted of a subsequent misdemeanor offense involving a victim or a subsequent felony offense during that time, and
 - f) entering the judgment of conviction for a class 1 misdemeanor is in the interest of justice.

2. Stipulates that the ability to have a judgment of conviction lowered to a class 1 misdemeanor is not available to persons who have been convicted of *cruelty to animals, misconduct involving weapons* or *failure to register as a sex offender*.
3. Repeals the court's ability to designate a qualifying felony offense as a class 1 misdemeanor on October 1, 2028.
4. Becomes effective on the general effective date.

Amendments Adopted by Committee

1. Stipulates that the ability to have a judgment of conviction lowered to a class 1 misdemeanor is not available to persons who have been convicted of cruelty to animals, misconduct involving weapons or failure to register as a sex offender.
2. Requires five years to have passed since the date that a person has completed their sentence, rather than the date of the person's conviction, in order for the person to be eligible for a class 1 misdemeanor judgment.

Amendments Adopted by Committee of the Whole

- Adds a delayed repeal date of October 1, 2028.

House Action

JUD	1/22/26	W/D	
GOV	2/18/26	DP	7-0-0-0
3 rd Read	2/26/26		53-0-7

Senate Action

JUDE	3/26/26	DPA	6-0-1
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Prepared by Senate Research
May 18, 2026
ZD/ci