

REFERENCE TITLE: civil terrorism; disorderly conduct; subversion

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2136

Introduced by
Representative Way

AN ACT

AMENDING SECTION 13-2301, ARIZONA REVISED STATUTES; AMENDING TITLE 13, CHAPTER 23, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 13-2308.04 AND 13-2308.05; AMENDING SECTIONS 13-2904 AND 13-2906, ARIZONA REVISED STATUTES; RELATING TO OFFENSES AGAINST PUBLIC ORDER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-2301, Arizona Revised Statutes, is amended to
3 read:

4 13-2301. Definitions

5 A. For the purposes of sections 13-2302, 13-2303 and 13-2304:

6 1. "Collect an extension of credit" means to induce in any way any
7 person to make repayment of that extension.

8 2. "Creditor" means any person making an extension of credit or any
9 person claiming by, under or through any person making an extension of
10 credit.

11 3. "Debtor" means any person to whom an extension of credit is made
12 or any person who guarantees the repayment of an extension of credit, or
13 in any manner undertakes to indemnify the creditor against loss resulting
14 from the failure of any person to whom an extension is made to repay the
15 extension.

16 4. "Extend credit" means to make or renew any loan or to enter into
17 any agreement, tacit or express, whereby the repayment or satisfaction of
18 any debt or claim, whether acknowledged or disputed, valid or invalid, and
19 however arising, may or shall be deferred.

20 5. "Extortionate extension of credit" means any extension of credit
21 with respect to which it is the understanding of the creditor and the
22 debtor when the extension is made that delay in making repayment or
23 failure to make repayment could result in the use of violence or other
24 criminal means to cause harm to the person or the reputation or property
25 of any person.

26 6. "Extortionate means" means the use, or an express or implicit
27 threat of use, of violence or other criminal means to cause harm to the
28 person or the reputation or property of any person.

29 7. "Repayment of any extension of credit" means the repayment,
30 satisfaction or discharge in whole or in part of any debt or claim,
31 acknowledged or disputed, valid or invalid, resulting from or in
32 connection with that extension of credit.

33 B. For the purposes of section 13-2305, 13-2306 or 13-2307:

34 1. "Dealer in property" means a person who buys and sells property
35 as a business.

36 2. "Stolen property" means property of another as defined in
37 section 13-1801 that has been the subject of any unlawful taking.

38 3. "Traffic" means to sell, transfer, distribute, dispense or
39 otherwise dispose of stolen property to another person, or to buy,
40 receive, possess or obtain control of stolen property, with the intent to
41 sell, transfer, distribute, dispense or otherwise dispose of the property
42 to another person.

1 C. For the purposes of this chapter:

2 1. "Animal activity" means a commercial enterprise that uses
3 animals for food, clothing or fiber production, agriculture or
4 biotechnology.

5 2. "Animal facility" means a building or premises where a
6 commercial activity in which the use of animals is essential takes place,
7 including a zoo, rodeo, circus, amusement park, hunting preserve and horse
8 and dog event.

9 3. "Animal or ecological terrorism" means any felony in violation
10 of section 13-2312, subsection B that involves at least three persons
11 acting in concert, that involves the intentional or knowing infliction of
12 property damage in an amount of more than \$10,000 to the property that is
13 used by a person for the operation of a lawfully conducted animal activity
14 or to a commercial enterprise that is engaged in a lawfully operated
15 animal facility or research facility and that involves either:

16 (a) The use of a deadly weapon or dangerous instrument.

17 (b) The intentional or knowing infliction of serious physical
18 injury on a person engaged in a lawfully conducted animal activity or
19 participating in a lawfully conducted animal facility or research
20 facility.

21 4. "Biological agent" means any microorganism, virus, infectious
22 substance or biological product that may be engineered through
23 biotechnology or any naturally occurring or bioengineered component of any
24 microorganism, virus, infectious substance or biological product and that
25 is capable of causing any of the following:

26 (a) Death, disease or physical injury in a human, animal, plant or
27 other living organism.

28 (b) The deterioration or contamination of air, food, water,
29 equipment, supplies or material of any kind.

30 5. "Combination" means persons who collaborate in carrying on or
31 furthering the activities or purposes of a criminal syndicate even though
32 such persons may not know each other's identity, membership in the
33 combination changes from time to time or one or more members may stand in
34 a wholesaler-retailer or other arm's length relationship with others as to
35 activities or dealings between or among themselves in an illicit
36 operation.

37 6. "Communication service provider" has the same meaning prescribed
38 in section 13-3001.

39 7. "Criminal syndicate" means any combination of persons or
40 enterprises engaging, or having the purpose of engaging, on a continuing
41 basis in conduct that violates any one or more provisions of any felony
42 statute of this state.

43 8. "Explosive agent" means an explosive as defined in section
44 13-3101 and flammable fuels or fire accelerants in amounts over fifty
45 gallons but excludes:

- 1 (a) Fireworks as defined in section 36-1601.
2 (b) Firearms.
3 (c) A propellant actuated device or propellant actuated industrial
4 tool.
5 (d) A device that is commercially manufactured primarily for the
6 purpose of illumination.
7 (e) A rocket having a propellant charge of less than four ounces.
8 9. "Material support or resources" includes money or other
9 financial securities, financial services, lodging, sustenance, training,
10 safehouses, false documentation or identification, communications
11 equipment, facilities, weapons, lethal substances, explosives, personnel,
12 transportation, disguises and other physical assets but does not include
13 medical assistance, legal assistance or religious materials.
14 10. "Public establishment" means a structure, vehicle or craft that
15 is owned, leased or operated by any of the following:
16 (a) This state or a political subdivision as defined in section
17 38-502.
18 (b) A public agency as defined in section 38-502.
19 (c) The federal government.
20 (d) A health care institution as defined in section 36-401.
21 (e) A private educational institution.
22 11. "Research facility" means a laboratory, institution, medical
23 care facility, government facility, public or private educational
24 institution or nature preserve at which a scientific test, experiment or
25 investigation involving the use of animals is lawfully carried out,
26 conducted or attempted.
27 12. "Terrorism":
28 (a) Means any felony, including any completed or preparatory
29 offense, that involves the use of a deadly weapon or a weapon of mass
30 destruction or the intentional or knowing infliction of serious physical
31 injury with the intent to do any of the following:
32 ~~(a)~~ (i) Influence the policy or affect the conduct of this state
33 or any of the political subdivisions, agencies or instrumentalities of
34 this state.
35 ~~(b)~~ (ii) Cause substantial damage to or substantial interruption
36 of public communications, communication service providers, public
37 transportation, common carriers, public utilities, public establishments
38 or other public services.
39 ~~(c)~~ (iii) Intimidate or coerce a civilian population.
40 ~~(d)~~ (vi) Further the goals, desires, aims, public pronouncements,
41 manifestos or political objectives of any terrorist organization.
42 (b) DOES NOT INCLUDE CIVIL TERRORISM.
43 13. "Terrorist organization" means any organization that is
44 designated by the United States department of state as a foreign terrorist

1 organization under section 219 of the immigration and nationality act
2 (8 United States Code section 1189).

3 14. "Toxin" means the toxic material of plants, animals,
4 microorganisms, viruses, fungi or infectious substances or a recombinant
5 molecule, whatever its origin or method of reproduction, including:

6 (a) Any poisonous substance or biological product that may be
7 engineered through biotechnology and that is produced by a living
8 organism.

9 (b) Any poisonous isomer or biological product, homolog or
10 derivative of such a substance.

11 15. "Vector" means a living organism or molecule, including a
12 recombinant molecule or biological product that may be engineered through
13 biotechnology, that is capable of carrying a biological agent or toxin to
14 a host.

15 16. "Weapon of mass destruction" means:

16 (a) Any device or object that is designed or that the person
17 intends to use to cause multiple deaths or serious physical injuries
18 through the use of an explosive agent or the release, dissemination or
19 impact of a toxin, biological agent or poisonous chemical, or its
20 precursor, or any vector.

21 (b) Except as authorized and used in accordance with a license,
22 registration or exemption by the department of health services pursuant to
23 section 30-672, any device or object that is designed or that the person
24 intends to use to release radiation or radioactivity at a level that is
25 dangerous to human life.

26 D. For the purposes of sections 13-2312, 13-2313, 13-2314 and
27 13-2315, unless the context otherwise requires:

28 1. "Control", in relation to an enterprise, means the possession of
29 sufficient means to allow substantial direction over the affairs of an
30 enterprise and, in relation to property, means to acquire or possess.

31 2. "Enterprise" means any corporation, partnership, association,
32 labor union or other legal entity or any group of persons associated in
33 fact although not a legal entity.

34 3. "Financial institution" means a banking or securities regulatory
35 agency of the United States, a business coming within the definition of a
36 bank, financial agency or financial institution as prescribed by 31 United
37 States Code section 5312 or 31 Code of Federal Regulations section
38 1010.100 or a business under the jurisdiction of the securities division
39 of the corporation commission, the state real estate department or the
40 department of insurance and financial institutions.

41 4. "Racketeering" means any act, including any preparatory or
42 completed offense, that is chargeable or indictable under the laws of the
43 state or country in which the act occurred and, if the act occurred in a
44 state or country other than this state, that would be chargeable or
45 indictable under the laws of this state if the act had occurred in this

1 state, and that would be punishable by imprisonment for more than one year
 2 under the laws of this state and, if the act occurred in a state or
 3 country other than this state, under the laws of the state or country in
 4 which the act occurred, regardless of whether the act is charged or
 5 indicted, and the act involves either:

6 (a) Terrorism, animal terrorism or ecological terrorism that
 7 results or is intended to result in a risk of serious physical injury or
 8 death.

9 (b) Any of the following acts if committed for financial gain:

10 (i) Homicide.

11 (ii) Robbery.

12 (iii) Kidnapping.

13 (iv) Forgery.

14 (v) Theft.

15 (vi) Bribery.

16 (vii) Gambling.

17 (viii) Usury.

18 (ix) Extortion.

19 (x) Extortionate extensions of credit.

20 (xi) Prohibited drugs, marijuana or other prohibited chemicals or
 21 substances.

22 (xii) Trafficking in explosives, weapons or stolen property.

23 (xiii) Participating in a criminal syndicate.

24 (xiv) Obstructing or hindering criminal investigations or
 25 prosecutions.

26 (xv) Asserting false claims, including false claims asserted
 27 through fraud or arson.

28 (xvi) Intentional or reckless false statements or publications
 29 concerning land for sale or lease or sale of subdivided lands or sale and
 30 mortgaging of unsubdivided lands.

31 (xvii) Resale of realty with intent to defraud.

32 (xviii) Intentional or reckless fraud in the purchase or sale of
 33 securities.

34 (xix) Intentional or reckless sale of unregistered securities or
 35 real property securities.

36 (xx) A scheme or artifice to defraud.

37 (xxi) Obscenity.

38 (xxii) Sexual exploitation of a minor.

39 (xxiii) Prostitution.

40 (xxiv) Restraint of trade or commerce in violation of section
 41 34-252.

42 (xxv) Terrorism.

43 (xxvi) Money laundering.

44 (xxvii) Obscene or indecent telephone communications to minors for
 45 commercial purposes.

1 (xxviii) Counterfeiting marks as proscribed in section 44-1453.
2 (xxix) Animal terrorism or ecological terrorism.
3 (xxx) Smuggling of human beings.
4 (xxxi) Child sex trafficking.
5 (xxxii) Sex trafficking.
6 (xxxiii) Trafficking of persons for forced labor or services.
7 (xxxiv) Manufacturing, selling or distributing misbranded drugs in
8 violation of section 13-3406, subsection A, paragraph 9.
9 (xxxv) Holding an unauthorized racing meeting as proscribed in
10 section 5-107.01.
11 (c) **FELONY DISORDERLY CONDUCT, RIOT, CIVIL TERRORISM OR SUBVERSION.**
12 5. "Records" means any book, paper, writing, computer program,
13 data, image or information that is collected, recorded, preserved or
14 maintained in any form of storage medium.
15 6. "Remedy racketeering" means to enter a civil judgment pursuant
16 to this chapter or chapter 39 of this title against property or a person
17 who is subject to liability, including liability for injury to the state
18 that is caused by racketeering or by actions in concert with racketeering.
19 E. For the purposes of sections 13-2316, 13-2316.01 and 13-2316.02:
20 1. "Access" means to instruct, communicate with, store data in,
21 retrieve data from or otherwise make use of any resources of a computer,
22 computer system or network.
23 2. "Access device" means any card, token, code, account number,
24 electronic serial number, mobile or personal identification number,
25 password, encryption key, biometric identifier or other means of account
26 access, including a canceled or revoked access device, that can be used
27 alone or in conjunction with another access device to obtain money, goods,
28 services, computer or network access or any other thing of value or that
29 can be used to initiate a transfer of any thing of value.
30 3. "Computer" means an electronic device that performs logic,
31 arithmetic or memory functions by the manipulations of electronic or
32 magnetic impulses and includes all input, output, processing, storage,
33 software or communication facilities that are connected or related to such
34 a device in a system or network.
35 4. "Computer contaminant" means any set of computer instructions
36 that is designed to modify, damage, destroy, record or transmit
37 information within a computer, computer system or network without the
38 intent or permission of the owner of the information, computer system or
39 network. Computer contaminant includes a group of computer instructions,
40 such as viruses or worms, that is self-replicating or self-propagating and
41 that is designed to contaminate other computer programs or computer data,
42 to consume computer resources, to modify, destroy, record or transmit data
43 or in some other fashion to usurp the normal operation of the computer,
44 computer system or network.

1 5. "Computer program" means a series of instructions or statements,
2 in a form acceptable to a computer, that allow the functioning of a
3 computer system in a manner designed to provide appropriate products from
4 the computer system.

5 6. "Computer software" means a set of computer programs, procedures
6 and associated documentation concerned with the operation of a computer
7 system.

8 7. "Computer system" means a set of related, connected or
9 unconnected computer equipment, devices and software, including storage,
10 media and peripheral devices.

11 8. "Critical infrastructure resource" means any computer or
12 communications system or network that is involved in providing services
13 necessary to ensure or protect the public health, safety or welfare,
14 including services that are provided by any of the following:

15 (a) Medical personnel and institutions.

16 (b) Emergency services agencies.

17 (c) Public and private utilities, including water, power,
18 communications and transportation services.

19 (d) Fire departments, districts or volunteer organizations.

20 (e) Law enforcement agencies.

21 (f) Financial institutions.

22 (g) Public educational institutions.

23 (h) Government agencies.

24 9. "False or fraudulent pretense" means the unauthorized use of an
25 access device or the use of an access device to exceed authorized access.

26 10. "Financial instrument" means any check, draft, money order,
27 certificate of deposit, letter of credit, bill of exchange, credit card or
28 marketable security or any other written instrument as defined in section
29 13-2001 that is transferable for value.

30 11. "Network" includes a complex of interconnected computer or
31 communication systems of any type.

32 12. "Property" means financial instruments, information, including
33 electronically produced data, computer software and programs in either
34 machine or human readable form, and anything of value, tangible or
35 intangible.

36 13. "Proprietary or confidential computer security information"
37 means information about a particular computer, computer system or network
38 that relates to its access devices, security practices, methods and
39 systems, architecture, communications facilities, encryption methods and
40 system vulnerabilities and that is not made available to the public by its
41 owner or operator.

42 14. "Services" includes computer time, data processing, storage
43 functions and all types of communication functions.

1 Sec. 2. Title 13, chapter 23, Arizona Revised Statutes, is amended
2 by adding sections 13-2308.04 and 13-2308.05, to read:

3 13-2308.04. Civil terrorism; classification

4 A. A PERSON COMMITS CIVIL TERRORISM IF THE PERSON COMMITS
5 VANDALISM, DESTRUCTION OF PROPERTY, DISORDERLY CONDUCT, DEPRIVATION OF
6 CIVIL RIGHTS OR ANY OTHER UNLAWFUL ACT WITH THE INTENT TO COERCE OR
7 INTIMIDATE A CIVILIAN POPULATION.

8 B. CIVIL TERRORISM IS A CLASS 5 FELONY.

9 13-2308.05. Subversion; classification

10 A. A PERSON COMMITS SUBVERSION IF THE PERSON COMMITS AN UNLAWFUL
11 ACT WITH THE INTENT TO DO ANY OF THE FOLLOWING:

12 1. ADVANCE THE INTERESTS OF A TERRORIST ORGANIZATION.

13 2. ATTEMPT TO ACT AS A FOREIGN GOVERNMENT AGENT AS DEFINED IN
14 SECTION 13-4006.

15 3. SUBVERT THE GOVERNMENT OF THIS STATE OR THE UNITED STATES.

16 B. SUBVERSION IS A CLASS 5 FELONY.

17 Sec. 3. Section 13-2904, Arizona Revised Statutes, is amended to
18 read:

19 13-2904. Disorderly conduct; classification

20 A. A person commits disorderly conduct if, with intent to disturb
21 the peace or quiet of a neighborhood, family or person, or with knowledge
22 of doing so, such person:

23 1. Engages in fighting, violent or seriously disruptive behavior;

24 or

25 2. Makes unreasonable noise; or

26 3. Uses abusive or offensive language or gestures to any person
27 present in a manner likely to provoke immediate physical retaliation by
28 such person; or

29 4. Makes any protracted commotion, utterance or display with the
30 intent to prevent the transaction of the business of a lawful meeting,
31 gathering or procession; or

32 5. Refuses to obey a lawful order to disperse issued to maintain
33 public safety in dangerous proximity to a fire, a hazard or any other
34 emergency; or

35 6. Recklessly handles, displays or discharges a deadly weapon or
36 dangerous instrument.

37 B. Disorderly conduct under:

38 1. Subsection A, paragraph 6 OF THIS SECTION is a class 6 felony
39 UNLESS THE DISORDERLY CONDUCT IS COMMITTED BY A GROUP COMPRISED OF AT
40 LEAST THREE PERSONS, IN WHICH CASE THE OFFENSE IS A CLASS 5 FELONY.

41 ~~Disorderly conduct under~~

42 2. Subsection A, paragraph 1, 2, 3, 4 or 5 OF THIS SECTION is a
43 class 1 misdemeanor UNLESS THE DISORDERLY CONDUCT IS COMMITTED BY A GROUP
44 COMPRISED OF AT LEAST THREE PERSONS, IN WHICH CASE THE OFFENSE IS A CLASS
45 6 FELONY.

1 Sec. 4. Section 13-2906, Arizona Revised Statutes, is amended to
2 read:

3 13-2906. Obstructing a highway or other public thoroughfare;
4 classification; definition

5 A. A person commits obstructing a highway or other public
6 thoroughfare if the person, alone or with other persons, does any of the
7 following:

8 1. Having no legal privilege to do so, recklessly interferes with
9 the passage of any highway or public thoroughfare by creating an
10 unreasonable inconvenience or hazard.

11 2. Intentionally activates a pedestrian signal on a highway or
12 public thoroughfare if the person's reason for activating the signal is
13 not to cross the highway or public thoroughfare but to do both of the
14 following:

15 (a) Stop the passage of traffic on the highway or public
16 thoroughfare.

17 (b) Solicit a driver for a donation or business.

18 3. After receiving a verbal warning to desist, intentionally
19 interferes with passage on a highway or other public thoroughfare or
20 entrance into a public forum that results in preventing other persons from
21 gaining access to a governmental meeting, a governmental hearing or a
22 political campaign event.

23 B. Obstructing a highway or other public thoroughfare under:

24 1. Subsection A, paragraph 3 of this section is a class 1
25 misdemeanor.

26 2. Subsection A, paragraph 1 of this section is a class 2
27 misdemeanor, except that a second or subsequent violation within a period
28 of twenty-four months is a class 1 misdemeanor.

29 3. Subsection A, paragraph 2 of this section is a class 3
30 misdemeanor.

31 C. NOTWITHSTANDING SUBSECTION B OF THIS SECTION, OBSTRUCTING A
32 HIGHWAY OR OTHER PUBLIC THOROUGHFARE UNDER SUBSECTION A, PARAGRAPH 1, 2 OR
33 3 OF THIS SECTION IS A CLASS 6 FELONY IF THE OBSTRUCTION IS COMMITTED BY A
34 GROUP COMPRISED OF AT LEAST THREE PERSONS.

35 ~~C.~~ D. For the purposes of this section, "public forum" has the
36 same meaning prescribed in section 15-1861.

37 Sec. 5. Effective date

38 This act is effective from and after December 31, 2026.