

REFERENCE TITLE: unlawful masking; violation

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

HB 2862

Introduced by
Representative Nguyen

AN ACT

AMENDING TITLE 13, CHAPTER 29, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-2925; 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. Title 13, chapter 29, Arizona Revised Statutes, is
3 amended by adding section 13-2925, to read:

4 13-2925. Unlawful masking; classification; definitions

5 A. A PERSON WHO, WITH THE INTENT TO CONCEAL THE PERSON'S IDENTITY,
6 WEARS A MASK WHILE PRESENT AT A PUBLIC ASSEMBLY COMMITS UNLAWFUL MASKING.

7 B. IT IS A DEFENSE TO A PROSECUTION UNDER THIS SECTION IF ANY OF
8 THE FOLLOWING APPLIES:

9 1. THE PUBLIC ASSEMBLY TAKES PLACE ON PRIVATE PROPERTY.

10 2. THE PUBLIC ASSEMBLY IS HELD WITH THE PERMISSION OF THE OWNER,
11 MANAGER OR OTHER PERSON HAVING LAWFUL CONTROL OF, OR A CONTRACTUAL
12 INTEREST IN, THE PROPERTY.

13 3. THE OWNER, MANAGER OR OTHER PERSON HAVING LAWFUL CONTROL OF, OR
14 A CONTRACTUAL INTEREST IN, THE PROPERTY GRANTS PERMISSION TO PARTICIPANTS
15 IN THE PUBLIC ASSEMBLY TO WEAR MASKS.

16 C. UNLAWFUL MASKING IS A CLASS 3 MISDEMEANOR, EXCEPT THAT A SECOND
17 OR SUBSEQUENT VIOLATION IS A CLASS 1 MISDEMEANOR.

18 D. FOR THE PURPOSES OF THIS SECTION:

19 1. "MASK":

20 (a) MEANS A COVERING THAT OBSCURES OR IS WORN OVER A PERSON'S NOSE
21 OR MOUTH.

22 (b) DOES NOT INCLUDE ANY OF THE FOLLOWING:

23 (i) A HOLIDAY COSTUME, IF WORN TO CELEBRATE THE HOLIDAY.

24 (ii) A THEATER COSTUME WORN BY A PERSON PARTICIPATING IN A THEATER
25 PRODUCTION.

26 (iii) A COVERING WORN FOR RELIGIOUS PURPOSES.

27 (iv) A COVERING WORN FOR THE PURPOSES OF OCCUPATIONAL SAFETY.

28 (v) A MEDICAL DEVICE, IF THE DEVICE IS EITHER PRESCRIBED BY A
29 PHYSICIAN OR WORN IN A HEALTH CARE FACILITY.

30 (vi) A HELMET OR SIMILAR PROTECTIVE DEVICE, IF WORN BY A PERSON
31 OPERATING OR RIDING ON A MOTORCYCLE, BICYCLE, SCOOTER, ROLLER SKATES OR
32 OTHER SIMILAR DEVICE.

33 (vii) ATHLETIC EQUIPMENT, IF WORN BY A PERSON PARTICIPATING IN AN
34 ATHLETIC CONTEST.

35 (viii) EQUIPMENT WORN BY AN EMERGENCY MEDICAL SERVICES PROVIDER
36 WHILE ACTING WITHIN THE SCOPE OF THE EMERGENCY MEDICAL PROVIDER'S
37 PROFESSIONAL RESPONSIBILITIES.

38 (ix) EQUIPMENT OR A FACE COVERING WORN BY A LAW ENFORCEMENT OFFICER
39 ACTING WITHIN THE SCOPE OF THE LAW ENFORCEMENT OFFICER'S EMPLOYMENT.

40 2. "PUBLIC ASSEMBLY" MEANS A GATHERING THAT HAS AT LEAST TEN PEOPLE
41 AND THAT OCCURS IN A PUBLIC PLACE OR IN A PLACE TO WHICH THE GENERAL
42 PUBLIC IS INVITED OR PERMITTED TO ENTER.