

House Engrossed

residence of sex offenders; regulation

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

# HOUSE BILL 2870

AN ACT

AMENDING SECTION 13-3727, ARIZONA REVISED STATUTES; RELATING TO SEX OFFENDERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-3727, Arizona Revised Statutes, is amended to  
3 read:

4 13-3727. Unlawful residency; persons convicted of criminal  
5 offenses; exceptions; preemption; classification

6 A. It is unlawful for a person who has been convicted of a  
7 dangerous crime against children as defined in section 13-705, or who has  
8 been convicted of an offense committed in another jurisdiction that if  
9 committed in this state would be a dangerous crime against children as  
10 defined in section 13-705, and who is required to register pursuant to  
11 section 13-3821 to:

12 1. If the person is classified as a level three offender pursuant  
13 to section 13-3825, reside within one thousand feet of the real property  
14 comprising any of the following:

15 (a) A private school, as defined in section 15-101, or a public  
16 school that provides instruction in kindergarten programs and any  
17 combination of kindergarten programs and grades one through eight.

18 (b) A private school, as defined in section 15-101, or a public  
19 school that provides instruction in any combination of grades nine through  
20 twelve.

21 (c) A child care facility as defined in section 36-881.

22 2. Knowingly establish a residence and reside within one thousand  
23 feet of the real property on which the person's former victim resides.

24 3. Establish a residence and reside within one thousand feet of the  
25 real property on which the person's former victim resides.

26 B. Subsection A, paragraph 1 of this section does not apply to any  
27 of the following:

28 1. A person who establishes the person's residence before  
29 September 19, 2007 or before a new school or child care facility is  
30 located.

31 2. A person who is a minor.

32 3. A person who is currently serving a term of probation.

33 4. A person who has had the person's civil rights restored pursuant  
34 to chapter 9 of this title.

35 5. A person who has not been convicted of a subsequent offense in  
36 the previous ten years, excluding any time the person was incarcerated in  
37 any federal, state, county or local jail or prison facility.

38 C. Subsection A, paragraphs 2 and 3 of this section do not apply  
39 to:

40 1. A person who is required to register pursuant to section  
41 13-3821, subsection A, paragraph 19.

1           2. A person who receives written consent to establish the residence  
2 from the victim or, if the victim is a minor, from the parent or guardian  
3 of the minor unless the parent or guardian of the minor is the person who  
4 was convicted.

5           D. It is a defense to a prosecution for a violation of subsection  
6 A, paragraph 3 of this section if the person established the residence  
7 without knowledge that the victim resided within one thousand feet, the  
8 person moved within thirty days after receiving actual knowledge of the  
9 victim's residence and the person did not have contact with the victim  
10 during that thirty-day period.

11           E. IT IS UNLAWFUL FOR A PERSON WHO IS CONVICTED ON OR AFTER JANUARY  
12 1, 2027, WHO IS REQUIRED TO REGISTER PURSUANT TO SECTION 13-3821 AND WHO  
13 IS CLASSIFIED AS A LEVEL TWO OR LEVEL THREE OFFENDER PURSUANT TO SECTION  
14 13-3825 TO RESIDE IN A SINGLE-FAMILY DWELLING WITH ANOTHER PERSON WHO IS  
15 REQUIRED TO REGISTER PURSUANT TO SECTION 13-3821. THIS SUBSECTION DOES  
16 NOT APPLY IF ANY OF THE FOLLOWING APPLIES:

17           1. THE PERSONS ARE LEGALLY RELATED BY BLOOD, MARRIAGE OR ADOPTION.

18           2. THE SINGLE-FAMILY DWELLING IS A COMMUNITY REENTRY CENTER THAT IS  
19 OPERATED BY THE STATE DEPARTMENT OF CORRECTIONS AND THAT COMMENCED  
20 OPERATION ON OR BEFORE JANUARY 1, 2026.

21           3. THE SINGLE-FAMILY DWELLING IS A CERTIFIED BEHAVIORAL HEALTH  
22 RESIDENTIAL FACILITY THAT IS SUBJECT TO THE OVERSIGHT OF THE DEPARTMENT OF  
23 HEALTH SERVICES THAT COMMENCED OPERATION ON OR BEFORE JANUARY 1, 2026.

24           F. IT IS UNLAWFUL FOR A PERSON WHO WAS CONVICTED ON OR BEFORE  
25 DECEMBER 31, 2026, WHO IS REQUIRED TO REGISTER PURSUANT TO SECTION  
26 13-3821, WHO IS CLASSIFIED AS A LEVEL TWO OR LEVEL THREE OFFENDER PURSUANT  
27 TO SECTION 13-3825 AND WHO IS ON PROBATION OR COMMUNITY SUPERVISION TO  
28 RESIDE IN A SINGLE-FAMILY DWELLING WITH ANOTHER PERSON WHO IS REQUIRED TO  
29 REGISTER PURSUANT TO SECTION 13-3821. THIS SUBSECTION DOES NOT APPLY IF  
30 ANY OF THE FOLLOWING APPLIES:

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36 RESIDENTIAL FACILITY THAT IS SUBJECT TO THE OVERSIGHT OF THE DEPARTMENT OF  
37 HEALTH SERVICES AND THAT COMMENCED OPERATION ON OR BEFORE JANUARY 1, 2026.

38           ~~F.~~ G. Notwithstanding any other law and as a matter of statewide  
39 concern, a county, city or town shall not enact an ordinance that provides  
40 for distance restrictions greater than those found in this section.

1           ~~F.~~ H. For the purposes of this section, measurements shall be made  
2 in a straight line in all directions, without regard to intervening  
3 structures or objects, from the nearest point on the property line of a  
4 parcel containing the person's residence to the nearest point on the  
5 property line of a parcel containing a child care facility or a school or  
6 on which the person's former victim resides.  
7           ~~G.~~ I. A person who violates this section is guilty of a class 1  
8 misdemeanor, except that a person who commits a second or subsequent  
9 violation of subsection A, paragraph 2 or 3 of this section is guilty of a  
10 class 6 felony.