

REFERENCE TITLE: residence of sex offenders; regulation

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

HB 2870

Introduced by
Representatives Weninger: Gress, Nguyen, Willoughby; Senator Mesnard

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.

42 2. A person who receives written consent to establish the residence
43 from the victim or, if the victim is a minor, from the parent or guardian
44 of the minor unless the parent or guardian of the minor is the person who
45 was convicted.

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

7 E. IT IS UNLAWFUL FOR A PERSON WHO IS REQUIRED TO REGISTER PURSUANT
8 TO SECTION 13-3821, WHO IS CLASSIFIED AS A LEVEL TWO OR LEVEL THREE
9 OFFENDER PURSUANT TO SECTION 13-3825 AND WHO IS ON PROBATION OR COMMUNITY
10 SUPERVISION TO RESIDE WITH ANOTHER PERSON WHO IS REQUIRED TO REGISTER
11 PURSUANT TO SECTION 13-3821. THIS SUBSECTION DOES NOT APPLY IF THE
12 PERSONS ARE LEGALLY RELATED BY BLOOD, MARRIAGE OR ADOPTION.

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

16 ~~F.~~ G. For the purposes of this section, measurements shall be made
17 in a straight line in all directions, without regard to intervening
18 structures or objects, from the nearest point on the property line of a
19 parcel containing the person's residence to the nearest point on the
20 property line of a parcel containing a child care facility or a school or
21 on which the person's former victim resides.

22 ~~G.~~ H. A person who violates this section is guilty of a class 1
23 misdemeanor, except that a person who commits a second or subsequent
24 violation of subsection A, paragraph 2 or 3 of this section is guilty of a
25 class 6 felony.