

House Engrossed

nonprofits; facilitation; trafficking offenses; penalties

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

HOUSE BILL 4070

AN ACT

AMENDING TITLE 10, CHAPTER 25, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 10-3203.01; AMENDING SECTION 12-722, ARIZONA REVISED
STATUTES; RELATING TO HUMAN TRAFFICKING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 10, chapter 25, article 1, Arizona Revised
3 Statutes, is amended by adding section 10-3203.01, to read:

4 10-3203.01. Incorporation prohibited

5 NOTWITHSTANDING ANY OTHER LAW, THE COMMISSION MAY NOT INCORPORATE A
6 CORPORATION UNDER THIS CHAPTER IF AN OFFICER, DIRECTOR OR TRUSTEE OF THE
7 CORPORATION HAS BEEN CONVICTED OF ANY OF THE FOLLOWING OFFENSES:

8 1. SEX TRAFFICKING AS DEFINED IN SECTION 13-1307.

9 2. TRAFFICKING OF PERSONS FOR FORCED LABOR OR SERVICES AS DEFINED
10 IN SECTION 13-1308.

11 3. CHILD SEX TRAFFICKING AS DEFINED IN SECTION 13-3212.

12 4. ANY SUBSTANTIALLY SIMILAR OFFENSE UNDER THE LAWS OF ANY OTHER
13 STATE OR THE UNITED STATES.

14 Sec. 2. Section 12-722, Arizona Revised Statutes, is amended to
15 read:

16 12-722. Trafficking of persons; civil liability;
17 applicability; remedies; joint and several
18 liability; definitions

19 A. A person who engages in OR FACILITATES the trafficking of a
20 person or who intentionally or knowingly benefits from participating in OR
21 FACILITATING a venture that traffics another person is liable to the
22 person trafficked for damages that arise from the trafficking of that
23 person by the person or venture.

24 B. It is not a defense to liability under this section that the
25 person was acquitted or has not been prosecuted for or convicted of an
26 offense included in title 13 or has been convicted of a different offense,
27 or of a different type or class of offense, for the conduct that is
28 alleged to give rise to liability under this section.

29 C. This section applies to any legal entity that is governed by
30 title 10 or 29.

31 D. Notwithstanding titles 10 and 29, if a legal entity is found
32 responsible pursuant to this section, a shareholder, member or partner of
33 that entity is jointly and severally liable with the entity to the person
34 trafficked for damages that arise from the trafficking of that person if
35 the person demonstrates that the shareholder, member or partner caused the
36 entity to be used to traffic that person for the direct personal benefit
37 of the shareholder, member or partner.

38 E. A claimant who prevails under this section:

39 1. Shall be awarded actual damages, including damages for mental
40 anguish even if an injury other than mental anguish is not shown, court
41 costs and reasonable attorney fees.

42 2. In addition to an award under paragraph 1 of this subsection,
43 may recover exemplary damages.

44 F. The rights and remedies provided in this section supplement any
45 other rights and remedies provided by law, including common law rights.

1 G. A person who engages in OR FACILITATES the trafficking of a
2 person or who intentionally or knowingly benefits from participating in OR
3 FACILITATING a venture that traffics another person and is found
4 responsible under this section or other law for any amount of damages
5 arising from the trafficking is jointly liable with any other person found
6 to be liable for the entire amount of damages arising from the
7 trafficking.

8 H. For the purposes of this section:

9 1. "Person" has the same meaning prescribed in section 13-105.

10 2. "Traffics another person" or "trafficking of a person" means
11 conduct that constitutes an offense under section 13-1306, 13-1307,
12 13-1308, 13-3206 or 13-3212.