

REFERENCE TITLE: unlawful entry; vulnerable adults; vagrants

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

## **HB 4136**

Introduced by  
Representative Carter P

AN ACT

AMENDING TITLE 13, CHAPTER 15, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-1510; AMENDING SECTION 13-3821, ARIZONA REVISED STATUTES; RELATING TO CRIMINAL TRESPASS.

(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 15, Arizona Revised Statutes, is  
3 amended by adding section 13-1510, to read:

4 13-1510. Unlawful entry in or on a residential structure in  
5 which a vulnerable adult resides; sexual offense;  
6 classification; definitions

7 A. A PERSON COMMITS UNLAWFUL ENTRY IN OR ON A RESIDENTIAL STRUCTURE  
8 IN WHICH A VULNERABLE ADULT RESIDES IF ALL OF THE FOLLOWING APPLY:

9 1. THE PERSON KNOWINGLY ENTERS OR REMAINS IN OR ON A RESIDENTIAL  
10 STRUCTURE IN OR ON WHICH A VULNERABLE ADULT IS RESIDING.

11 2. THE OWNER OF THE RESIDENCE OR CAREGIVER OF THE VULNERABLE ADULT  
12 HAS NOT GIVEN THE PERSON PERMISSION TO ENTER OR REMAIN IN OR ON THE  
13 RESIDENTIAL STRUCTURE.

14 3. THE OWNER OF THE RESIDENCE OR CAREGIVER OF THE VULNERABLE ADULT  
15 REPORTS THE INCIDENT TO AUTHORITIES.

16 B. A PERSON COMMITS UNLAWFUL ENTRY IN OR ON A RESIDENTIAL STRUCTURE  
17 IN WHICH A VULNERABLE ADULT RESIDES INVOLVING A SEXUAL OFFENSE IF ALL OF  
18 THE FOLLOWING APPLY:

19 1. THE PERSON KNOWINGLY ENTERS OR REMAINS IN OR ON A RESIDENTIAL  
20 STRUCTURE IN OR ON WHICH A VULNERABLE ADULT IS RESIDING.

21 2. THE OWNER OF THE RESIDENCE OR CAREGIVER OF THE VULNERABLE ADULT  
22 HAS NOT GIVEN THE PERSON PERMISSION TO ENTER OR REMAIN IN OR ON THE  
23 RESIDENTIAL STRUCTURE.

24 3. THE OWNER OF THE RESIDENCE OR CAREGIVER OF THE VULNERABLE ADULT  
25 REPORTS THE INCIDENT TO AUTHORITIES.

26 4. THE PERSON COMMITS ANY OF THE FOLLOWING:

27 (a) AN OFFENSE FOR WHICH THERE HAS BEEN A FINDING OF SEXUAL  
28 MOTIVATION PURSUANT TO SECTION 13-118.

29 (b) AN OFFENSE UNDER SECTION 13-1307 OR 13-3019.

30 (c) AN OFFENSE UNDER CHAPTER 14 OR 32 OF THIS TITLE.

31 C. A LAW ENFORCEMENT OFFICER SHALL IMMEDIATELY ARREST A PERSON WHO  
32 COMMITS A VIOLATION OF THIS SECTION.

33 D. THIS SECTION DOES NOT PRECLUDE THE COURT FROM IMPOSING ANY OTHER  
34 SENTENCE THAT IS AUTHORIZED BY LAW.

35 E. A VIOLATION OF SUBSECTION B OF THIS SECTION IS A CLASS 3 FELONY.  
36 A VIOLATION OF SUBSECTION A OF THIS SECTION IS A CLASS 4 FELONY.

37 F. FOR PURPOSES OF THIS SECTION:

38 1. "PERSON" INCLUDES A VAGRANT.

39 2. "VULNERABLE ADULT" HAS THE SAME MEANING PRESCRIBED IN SECTION  
40 46-451.

1           Sec. 2. Section 13-3821, Arizona Revised Statutes, is amended to  
2 read:

3           13-3821. Persons required to register; procedure;  
4           identification card; assessment; definitions

5           A. A person who has been convicted of or adjudicated guilty except  
6 insane for a violation or attempted violation of any of the following  
7 offenses or who has been convicted of or adjudicated guilty except insane  
8 or not guilty by reason of insanity for an offense committed in another  
9 jurisdiction that if committed in this state would be a violation or  
10 attempted violation of any of the following offenses or an offense that  
11 was in effect before September 1, 1978 and that, if committed on or after  
12 September 1, 1978, has the same elements of an offense listed in this  
13 section or who is required to register by the convicting or adjudicating  
14 jurisdiction, within ten days after the conviction or adjudication or  
15 within seventy-two hours, excluding weekends and legal holidays, after  
16 entering and remaining for at least seventy-two hours in any county of  
17 this state, shall register with the sheriff of that county:

18           1. Unlawful imprisonment pursuant to section 13-1303 if the victim  
19 is under eighteen years of age and the unlawful imprisonment was not  
20 committed by the child's parent.

21           2. Kidnapping pursuant to section 13-1304 if the victim is under  
22 eighteen years of age and the kidnapping was not committed by the child's  
23 parent.

24           3. Sexual abuse pursuant to section 13-1404 if the victim is under  
25 eighteen years of age.

26           4. Sexual conduct with a minor pursuant to section 13-1405.

27           5. Sexual assault pursuant to section 13-1406.

28           6. Sexual assault of a spouse if the offense was committed before  
29 August 12, 2005.

30           7. Molestation of a child pursuant to section 13-1410.

31           8. Continuous sexual abuse of a child pursuant to section 13-1417.

32           9. Taking a child for the purpose of prostitution pursuant to  
33 section 13-3206.

34           10. Child prostitution pursuant to section 13-3212, subsection A or  
35 subsection B, paragraph 1 or 2 committed before August 9, 2017.

36           11. Child sex trafficking pursuant to section 13-3212, subsection A  
37 or subsection B, paragraph 1 or 2 committed on or after August 9, 2017.

38           12. Commercial sexual exploitation of a minor pursuant to section  
39 13-3552.

40           13. Sexual exploitation of a minor pursuant to section 13-3553.

41           14. Luring a minor for sexual exploitation pursuant to section  
42 13-3554.

43           15. A second or subsequent violation of indecent exposure to a  
44 person who is under fifteen years of age pursuant to section 13-1402.

- 1           16. A second or subsequent violation of public sexual indecency to  
2 a minor who is under fifteen years of age pursuant to section 13-1403,  
3 subsection B.
- 4           17. A third or subsequent violation of indecent exposure pursuant  
5 to section 13-1402.
- 6           18. A third or subsequent violation of public sexual indecency  
7 pursuant to section 13-1403.
- 8           19. A violation of section 13-3822 or 13-3824.
- 9           20. Unlawful age misrepresentation.
- 10          21. Aggravated luring a minor for sexual exploitation pursuant to  
11 section 13-3560.
- 12          22. Sexual extortion pursuant to section 13-1428 if the victim is  
13 under fifteen years of age.
- 14          23. UNLAWFUL ENTRY IN OR ON A RESIDENTIAL STRUCTURE IN WHICH A  
15 VULNERABLE ADULT RESIDES INVOLVING A SEXUAL OFFENSE PURSUANT TO SECTION  
16 13-1510, SUBSECTION B.
- 17          B. Before the person is released from confinement the state  
18 department of corrections in conjunction with the department of public  
19 safety and each county sheriff shall complete the registration of any  
20 person who was convicted of or adjudicated guilty except insane for a  
21 violation of any offense listed under subsection A of this section.  
22 Within three days after the person's release from confinement, the state  
23 department of corrections shall forward the registered person's records to  
24 the department of public safety and to the sheriff of the county in which  
25 the registered person intends to reside. Registration pursuant to this  
26 subsection shall be consistent with subsection E of this section.
- 27          C. Notwithstanding subsection A of this section, the judge who  
28 sentences a defendant for any violation of chapter 14 or 35.1 of this  
29 title or for an offense for which there was a finding of sexual motivation  
30 pursuant to section 13-118 may require the person who committed the  
31 offense to register pursuant to this section.
- 32          D. The court may require a person who has been adjudicated  
33 delinquent for an act that would constitute an offense specified in  
34 subsection A or C of this section to register pursuant to this section.  
35 Any duty to register under this subsection terminates when the person  
36 reaches twenty-five years of age.
- 37          E. A person who has been convicted, adjudicated guilty except  
38 insane or adjudicated delinquent and who is required to register in the  
39 convicting or adjudicating state for an act that would constitute an  
40 offense specified in subsection A or C of this section and who is not a  
41 resident of this state shall be required to register pursuant to this  
42 section if the person is either:

1           1. Employed full-time or part-time in this state, with or without  
2 compensation, for more than fourteen consecutive days or for an aggregate  
3 period of more than thirty days in a calendar year.

4           2. Enrolled as a full-time or part-time student in any school in  
5 this state for more than fourteen consecutive days or for an aggregate  
6 period of more than thirty days in a calendar year. For the purposes of  
7 this paragraph, "school" means an educational institution of any  
8 description, public or private, wherever located in this state.

9           F. Any duty to register under subsection D or E of this section for  
10 a juvenile adjudication terminates when the person reaches twenty-five  
11 years of age.

12           G. The court may order the termination of any duty to register  
13 under this section on successful completion of probation if the person was  
14 under eighteen years of age when the offense for which the person was  
15 convicted or adjudicated guilty except insane was committed.

16           H. The court may order the suspension or termination of any duty to  
17 register under this section after a hearing held pursuant to section  
18 13-923.

19           I. At the time of registering, the person shall sign or affix an  
20 electronic fingerprint to a statement giving such information as required  
21 by the director of the department of public safety. The sheriff shall  
22 fingerprint and photograph the person and within three days thereafter  
23 shall send copies of the statement, fingerprints and photographs to the  
24 department of public safety and the chief of police, if any, of the place  
25 where the person resides. The information that is required by this  
26 subsection shall include all of the following:

27               1. All names by which the person is known.

28               2. Any required online identifier.

29               3. The name of any website or internet communication service where  
30 the identifier is being used.

31               4. If the person owns, possesses or regularly operates a motor  
32 vehicle that is required to be registered under title 28, chapter 7, the  
33 make, model, year of manufacture, color, vehicle identification number,  
34 state of registration and license plate number of the motor vehicle.

35               5. If the person has legal custody of a child who is enrolled in  
36 school, the child's name and enrollment status.

37               6. The physical location of the person's residence, the person's  
38 address and whether the person's residence is permanent or temporary,  
39 except that:

40                   (a) If the person has a place of residence that is different from  
41 the person's address, the person shall provide the person's address, the  
42 physical location of the person's residence and the name of the owner of  
43 the residence if the residence is privately owned and not offered for rent  
44 or lease.

1 (b) If the person receives mail at a post office box or other  
2 place, the person shall provide the location and number of the post office  
3 box or other place.

4 (c) If the person has more than one residence, the person shall  
5 register in person and in writing every residence and address not less  
6 than every ninety days with the sheriff in whose jurisdiction the person  
7 is physically present.

8 (d) If the person does not have an address or a permanent place of  
9 residence, the person shall provide a description and physical location of  
10 any temporary residence and shall register as a transient not less than  
11 every ninety days with the sheriff in whose jurisdiction the transient is  
12 physically present.

13 J. On the person's initial registration and every year after the  
14 person's initial registration during the month of the person's birthdate,  
15 the person shall report in person to the sheriff of the county in which  
16 the person is registered and confirm in writing all information required  
17 by this section, any required online identifier and the name of any  
18 website or internet communication service where the identifier is being  
19 used and the person shall obtain a new nonoperating identification license  
20 or a driver license from the motor vehicle division in the department of  
21 transportation and shall carry a valid nonoperating identification license  
22 or a driver license. Notwithstanding sections 28-3165 and 28-3171, the  
23 license is valid for one year from the date of issuance, and the person  
24 shall submit to the department of transportation proof of the person's  
25 address and place of residence. The motor vehicle division shall annually  
26 update the person's address and photograph and shall make a copy of the  
27 photograph available to the department of public safety or to any law  
28 enforcement agency. The motor vehicle division shall provide to the  
29 department of public safety daily address updates for persons required to  
30 register pursuant to this section.

31 K. Except as provided in subsection E or L of this section, the  
32 clerk of the superior court in the county in which a person has been  
33 convicted of or adjudicated guilty except insane for a violation of any  
34 offense listed under subsection A of this section or has been ordered to  
35 register pursuant to subsection C or D of this section shall notify the  
36 sheriff in that county of the conviction or adjudication within ten days  
37 after entry of the judgment.

38 L. Within ten days after entry of judgment, a court not of record  
39 shall notify the arresting law enforcement agency of an offender's  
40 conviction of or adjudication of guilty except insane for a violation of  
41 section 13-1402. Within ten days after receiving this information, the  
42 law enforcement agency shall determine if the offender is required to  
43 register pursuant to this section. If the law enforcement agency  
44 determines that the offender is required to register, the law enforcement

1 agency shall provide the information required by section 13-3825 to the  
2 department of public safety and shall make community notification as  
3 required by law.

4 M. A person who is required to register pursuant to this section  
5 because of a conviction or adjudication of guilty except insane for the  
6 unlawful imprisonment of a minor or the kidnapping of a minor is required  
7 to register, absent additional or subsequent convictions or adjudications,  
8 for a period of ten years from the date that the person is released from  
9 prison, jail, probation, community supervision or parole and the person  
10 has fulfilled all restitution obligations. Notwithstanding this  
11 subsection, a person who has a prior conviction or adjudication of guilty  
12 except insane for an offense for which registration is required pursuant  
13 to this section is required to register for life.

14 N. A person who is required to register pursuant to this section  
15 and who is a student at a public or private institution of postsecondary  
16 education or who is employed, with or without compensation, at a public or  
17 private institution of postsecondary education or who carries on a  
18 vocation at a public or private institution of postsecondary education  
19 shall notify the county sheriff having jurisdiction of the institution of  
20 postsecondary education. The person who is required to register pursuant  
21 to this section shall also notify the sheriff of each change in enrollment  
22 or employment status at the institution.

23 O. At the time of registering, the sheriff shall secure a  
24 sufficient sample of blood or other bodily substances for deoxyribonucleic  
25 acid testing and extraction from a person who has been convicted of or  
26 adjudicated guilty except insane for an offense committed in another  
27 jurisdiction that if committed in this state would be a violation or  
28 attempted violation of any of the offenses listed in subsection A of this  
29 section or an offense that was in effect before September 1, 1978 and  
30 that, if committed on or after September 1, 1978, has the same elements of  
31 an offense listed in subsection A of this section or who is required to  
32 register by the convicting or adjudicating jurisdiction. The sheriff  
33 shall transmit the sample to the department of public safety.

34 P. Any person who is required to register under subsection A of  
35 this section shall register the person's required online identifier and  
36 the name of any website or internet communication service where the  
37 identifier is being used or is intended to be used with the sheriff from  
38 and after December 31, 2007, regardless of whether the person was required  
39 to register an identifier at the time of the person's initial registration  
40 under this section.

41 Q. On conviction of or adjudication of guilty except insane for any  
42 offense for which a person is required to register pursuant to this  
43 section, in addition to any other penalty prescribed by law, the court  
44 shall order the person to pay an additional assessment of \$250. This

1 assessment is not subject to any surcharge. The court shall transmit the  
2 monies received pursuant to this section to the county treasurer. The  
3 county treasurer shall transmit the monies received to the state  
4 treasurer. The state treasurer shall deposit the monies received in the  
5 state general fund. Notwithstanding any other law, the court shall not  
6 waive the assessment imposed pursuant to this section.

7 R. A person who is required to register pursuant to this section  
8 shall verify the person's residence and address if requested by the  
9 department of public safety pursuant to section 13-3827, subsection G.

10 S. For the purposes of this section:

11 1. "Address" means all locations at which the person receives mail.

12 2. "Legal custody" means the right to have physical possession of a  
13 child.

14 3. "Required online identifier" means any electronic email address  
15 information or instant message, chat, social networking or other similar  
16 internet communication name but does not include a social security number,  
17 date of birth or pin number.

18 4. "Residence" means:

19 (a) The person's dwelling place, whether permanent or temporary.

20 (b) If the person is transient and does not spend at least three  
21 nights in any location or place within a thirty-day period, the geographic  
22 areas of the county where the person spends the nights.

23 5. "School" means a public or nonpublic kindergarten program,  
24 common school or high school.

25 6. "Transient" means a person who does not have a single and  
26 permanent dwelling place.