

House Engrossed Senate Bill

~~ESA students; interscholastic activities; requirements~~  
~~(now: excessive absences; exemptions)~~  
(now: sex offenders; electronic monitoring)

State of Arizona  
Senate  
Fifty-seventh Legislature  
Second Regular Session  
2026

# SENATE BILL 1004

AN ACT

AMENDING SECTION 13-3821, ARIZONA REVISED STATUTES; RELATING TO  
REGISTRATION OF 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 13-3821, Arizona Revised Statutes, is amended to  
3 read:

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

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

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

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

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

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

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

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

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

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

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

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

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

39 12. Commercial sexual exploitation of a minor pursuant to section  
40 13-3552.

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

42 14. Luring a minor for sexual exploitation pursuant to section  
43 13-3554.

44 15. A second or subsequent violation of indecent exposure to a  
45 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          B. Before the person is released from confinement the state  
15 department of corrections in conjunction with the department of public  
16 safety and each county sheriff shall complete the registration of any  
17 person who was convicted of or adjudicated guilty except insane for a  
18 violation of any offense listed under subsection A of this section. Within  
19 three days after the person's release from confinement, the state  
20 department of corrections shall forward the registered person's records to  
21 the department of public safety and to the sheriff of the county in which  
22 the registered person intends to reside. Registration pursuant to this  
23 subsection shall be consistent with subsection E of this section.

24          C. Notwithstanding subsection A of this section, the judge who  
25 sentences a defendant for any violation of chapter 14 or 35.1 of this  
26 title or for an offense for which there was a finding of sexual motivation  
27 pursuant to section 13-118 may require the person who committed the  
28 offense to register pursuant to this section.

29          D. The court may require a person who has been adjudicated  
30 delinquent for an act that would constitute an offense specified in  
31 subsection A or C of this section to register pursuant to this section.  
32 Any duty to register under this subsection terminates when the person  
33 reaches twenty-five years of age.

34          E. A person who has been convicted, adjudicated guilty except  
35 insane or adjudicated delinquent and who is required to register in the  
36 convicting or adjudicating state for an act that would constitute an  
37 offense specified in subsection A or C of this section and who is not a  
38 resident of this state shall be required to register pursuant to this  
39 section if the person is either:

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

43           2. Enrolled as a full-time or part-time student in any school in  
44 this state for more than fourteen consecutive days or for an aggregate  
45 period of more than thirty days in a calendar year. For the purposes of

1 this paragraph, "school" means an educational institution of any  
2 description, public or private, wherever located in this state.

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

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

10 H. The court may order the suspension or termination of any duty to  
11 register under this section after a hearing held pursuant to section  
12 13-923.

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

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

22 2. Any required online identifier.

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

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

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

31 6. The physical location of the person's residence, the person's  
32 address and whether the person's residence is permanent or temporary,  
33 except that:

34 (a) If the person has a place of residence that is different from  
35 the person's address, the person shall provide the person's address, the  
36 physical location of the person's residence and the name of the owner of  
37 the residence if the residence is privately owned and not offered for rent  
38 or lease.

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

42 (c) If the person has more than one residence, the person shall  
43 register in person and in writing every residence and address not less  
44 than every ninety days with the sheriff in whose jurisdiction the person  
45 is physically present.

1 (d) If the person does not have an address or a permanent place of  
2 residence: ,

3 (i) The person shall provide a description and physical location of  
4 any temporary residence and shall register as a transient not less than  
5 every ninety days with the sheriff in whose jurisdiction the transient is  
6 physically present.

7 (ii) THE PERSON SHALL BE SUBJECT TO MONITORING BY GLOBAL POSITION  
8 SYSTEM OR ELECTRONIC MONITORING UNTIL THE PERSON HAS AN ADDRESS OR A  
9 PERMANENT PLACE OF RESIDENCE.

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

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

35 L. Within ten days after entry of judgment, a court not of record  
36 shall notify the arresting law enforcement agency of an offender's  
37 conviction of or adjudication of guilty except insane for a violation of  
38 section 13-1402. Within ten days after receiving this information, the  
39 law enforcement agency shall determine if the offender is required to  
40 register pursuant to this section. If the law enforcement agency  
41 determines that the offender is required to register, the law enforcement  
42 agency shall provide the information required by section 13-3825 to the  
43 department of public safety and shall make community notification as  
44 required by law.

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

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

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

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

38 Q. On conviction of or adjudication of guilty except insane for any  
39 offense for which a person is required to register pursuant to this  
40 section, in addition to any other penalty prescribed by law, the court  
41 shall order the person to pay an additional assessment of \$250. This  
42 assessment is not subject to any surcharge. The court shall transmit the  
43 monies received pursuant to this section to the county treasurer. The  
44 county treasurer shall transmit the monies received to the state  
45 treasurer. The state treasurer shall deposit the monies received in the

1 state general fund. Notwithstanding any other law, the court shall not  
2 waive the assessment imposed pursuant to this section.

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

6 S. For the purposes of this section:

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

8 2. "Legal custody" means the right to have physical possession of a  
9 child.

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

14 4. "Residence" means:

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

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

19 5. "School" means a public or nonpublic kindergarten program,  
20 common school or high school.

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