

Senate Engrossed

sex offenders; statute of limitations

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

SENATE BILL 1239

AN ACT

AMENDING SECTION 13-107, ARIZONA REVISED STATUTES; RELATING TO TIME
LIMITATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-107, Arizona Revised Statutes, is amended to
3 read:

4 13-107. Time limitations

5 A. A prosecution for any homicide, any conspiracy to commit
6 homicide that results in the death of a person, any offense that is listed
7 in chapter 14 or 35.1 of this title and that is a class 2 felony, any
8 violent sexual assault pursuant to section 13-1423, any violation of
9 section 13-2308.01, 13-2308.03, ~~or 13-3212,~~ OR 13-3824, any misuse of
10 public monies or a felony involving falsification of public records or any
11 attempt to commit an offense listed in this subsection may be commenced at
12 any time.

13 B. Except as otherwise provided in this section and sections
14 28-672, 28-1381 and 28-1382, prosecutions for other offenses must be
15 commenced within the following periods after actual discovery by the state
16 or the political subdivision having jurisdiction of the offense or
17 discovery by the state or the political subdivision that should have
18 occurred with the exercise of reasonable diligence, whichever first
19 occurs:

- 20 1. For a class 2 through a class 6 felony, seven years.
- 21 2. For a misdemeanor, one year.
- 22 3. For a petty offense, six months.

23 C. For the purposes of subsection B of this section, a prosecution
24 is commenced when an indictment, information or complaint is filed.

25 D. The period of limitation does not run during any time when the
26 accused is absent from the state or has no reasonably ascertainable place
27 of abode within the state.

28 E. The period of limitation does not run for a serious offense as
29 defined in section 13-706 during any time when the identity of the person
30 who commits the offense or offenses is unknown.

31 F. The time limitation within which a prosecution of a class 6
32 felony shall commence shall be determined pursuant to subsection B,
33 paragraph 1 of this section, irrespective of whether a court enters a
34 judgment of conviction for or a prosecuting attorney designates the
35 offense as a misdemeanor.

36 G. If a complaint, indictment or information filed before the
37 period of limitation has expired is dismissed for any reason, a new
38 prosecution may be commenced within six months after the dismissal becomes
39 final even if the period of limitation has expired at the time of the
40 dismissal or will expire within six months of the dismissal.